



CRM-M-18269-2018

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

286

CRM-M-18269-2018

Date of decision : 08.09.2025

Vikas Singla @ Vicky and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Rajesh Arora, Advocate for petitioners.

Mr. Ayuwan Singh, AAG, Haryana.

Mr. Sandeep Verma, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

1. Petitioners - Vikas Singla @ Vicky, Rohit Rohilla, Manoj Grover, Parminder Kumar @ Pankaj and Dinesh Singla have filed present petition under Section 482 Cr.P.C. for quashing of FIR No.146 dated 26.04.2018, under Sections 341, 354-A, 506, 509, and 34 of IPC, registered at Police Station City Sohna, District Gurugram (Annexure P-1) along with all consequential proceedings arising therefrom or any other direction which the court may deem fit and proper in the given facts and circumstances of the case.

2. As per the facts narrated in FIR No.146 dated 26.04.2018 (Annexure P-1) (Supra), complainant Mahant Bhagwant Kishore filed written complaint alleging that on 24.04.2018, he along with his brother Naval Kishore Mahant,



CRM-M-18269-2018

-2-

Hanuman Mandir, Sohna, Ram Mandir after finishing prayer in the temple at 7:00 PM, they were sitting outside the temple and taking rest. On this Vicky, Rohit Rohilla (Bhalu), Pankaj, Dinesh and Manoj Grover etc. came there and gave beatings and they were told to get away from the temple. His wife Sarvesh Sharma intervened and on this, the aforesaid persons gave filthy abuses and outraged her modesty by touching her private parts and also pushed them. They (accused) called son of Sant Singh who threatened them and told them to go away otherwise they would kill them. For their safety, they dialed Control Room No.100 at about 8.45 PM and the police vehicle arrived at about 9.45 PM and from there, they were taken to Police Station Sohna at 10.40 PM for their safety. The aforesaid assailants ran away before the arrival of police. With these allegations, present FIR has been registered.

3. Learned counsel representing petitioners took the stand that they are members of registered society Hanuman Mandir, Chhoti Bagichi Suraksha Samiti Registered, Sohna. Civil litigation is already going on. It is already held by first appellate court that the temple is a public temple which is being taken care of by registered society in which petitioners are the members of said society. Present FIR is counter-blast to the civil litigation already going on. All the allegations detailed in the FIR are vague, absurd and with the objective to pressurize the petitioners to settle the civil dispute. The civil suit filed by the petitioners was dismissed by Civil Judge, Senior Division, Gurgaon vide judgment dated 23.11.2007 and feeling aggrieved, the appellants/plaintiffs i.e. Hindu Community and Worshippers of Sohna Town filed Civil Appeal No.43 of 02.06.2008 which was dismissed on 18.12.2010 (Annexure P-2). At present,



RSA No.2503 of 2011 is pending in this court and copy of order dated 03.05.2012 is Annexure P-3. During the pendency of this litigation, Pt. Jugal Kishore Sharma expired on 08.09.2012. Copy of his death certificate is (Annexure P-4). During this period, various complaints were filed. Sarvesh Sharma and Seema Sharma filed a complaint dated 16.05.2013 (Annexure P-5), which was disposed of vide order dated 06.07.2013 (Annexure P-6) and proceedings under Section 107, 151 Cr.P.C. were recommended. Thereafter, Seema Sharma wife of Nawal Kishore Sharma filed a complaint against Mahender Choudhary and others including the present petitioners bearing Criminal Case No.717 of 2013 and the said complaint was also dismissed vide order dated 15.09.2014 (Annexure P-7). Criminal Revision Petition No.51 of 2014 against the aforesaid order was also declined vide Judgment dated 17.11.2015 passed by learned Additional Sessions Judge, Gurgaon (Annexure P-8). During this period, Hanuman Mandir, Chhoti Bagichi Suraksha Samiti Registered, Sohna filed a reply to the complaint filed by Nawal Kishore Sharma and Bhagwant Kishore (Annexure P-9). Rohit Rohilla, one of the petitioners, also filed a petition before this High Court seeking protection of life and liberty of the members of Hanuman Mandir Chhoti Bagichi Suraksha Samiti Registered, Sohna, which was disposed of vide order dated 11.07.2013 (Annexure P-10) in CRM-M-19907-2013. The residents of Sohna also filed complaint against the respondents dated 25.04.2018 (Annexure P-12). Therefore, present FIR has been registered with ulterior motive to harass the present petitioners who are members of aforesaid society. The revised certificate of registration of society is Annexure P-14. The registration of present FIR is gross misuse of the procedure of criminal



proceedings. The litigation has been started by the private respondents only to put pressure on the petitioners and to adversely affect the civil litigation which is already going on. Therefore, aforesaid FIR and all consequent proceedings arising thereon are liable to be quashed.

4. Learned counsel representing respondent No.2 filed reply confirming the allegations levelled against the petitioners. Pendency of civil litigation is not disputed. The petitioners/accused attacked the private respondents and outraged the modesty of wife of Mahant Bhagwant Kishore. The police was informed immediately. Before arrival of the police, the assailants left the spot. It is pointed out that regarding the occurrence of 24.04.2018, there is a video recording. Matter requires thorough investigation. Present petition has been filed only to halt the investigation which was being carried out by the investigating agency.

5. Learned counsel representing State in reply confirmed the allegations detailed in the FIR lodged on the basis of statement of respondent No.2. It is submitted that statement of the wife of respondent No.2 has been recorded under Section 164 Cr.P.C. The investigation is at initial stage. After holding fair investigation, the report will be presented under Section 173 Cr.P.C.

6. I have considered the arguments and have gone through the record carefully. Present FIR has been lodged on the statement of Mahant Bhagwant Kishore respondent No.2. The alleged occurrence took place on 24.04.2018 at about 7:00 PM. As per the facts narrated in the FIR, police was informed immediately and thereafter present FIR was registered. The matter is still under investigation. Learned counsel for petitioners referred to the long history of



CRM-M-18269-2018

-5-

litigation which is going on between the Hindu Community and Worshippers of Sohna Town through its representatives on the one hand and Pt. Jugal Kishore and Gyan Chand Jogi on the other hand. During the pendency of civil litigation, Pt. Jugal Kishore Sharma expired on 08.09.2012. His death certificate is Annexure P-4. The said civil litigation continued and at present RSA No.2503 of 2011 is pending in this High Court. The civil litigation will be decided on its own merits. Apart from this, criminal litigation also started by filing complaints from 2013 onwards till the registration of present FIR. Copy of order passed in criminal complaint titled “Seema Sharma vs. Mahender Chaudhary and others” and the judgment in revision are Annexure P-7 and P-8 respectively. Therefore, there is continuous process of levelling allegations against each other and the matter was dealt by the police from time to time. The aforesaid civil litigation and criminal complaints filed against each other can be the result of said occurrence dated 24.04.2018 and it can also be a reason for false implications. In order to ascertain the truth, proper investigation is required by the investigating agency. As per the reply submitted by respondent No.1, during investigation statement of the victim has been recorded under Section 164 of Cr.P.C. and matter is under investigation. The investigating officer is competent to consider the aforesaid civil and criminal litigation already going on between the parties and after proper investigation can reach to a final conclusion.

7. Considering the aforesaid factual position, I do not find merits in the present petition filed by petitioners seeking quashing of FIR No.146 dated 26.04.2018, under Sections 341, 354-A, 506, 509, and 34 of IPC, registered at Police Station City Sohna, District Gurugram (Annexure P-1) and the present



CRM-M-18269-2018

-6-

petition is accordingly declined, with further direction to respondent No.1 to conduct fair and proper investigation into the allegations and to proceed further expeditiously.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

08.09.2025.

Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No