



CRM-M-30817-2023

-1-

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

CRM-M-30817-2023

Reserved on : 07.03.2025

Date of Pronouncement : 12.03.2025

Jagdev Puria

... Petitioner

Versus

State of Punjab and Another

.. Respondents

**CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Bhriгу Dutt Sharma, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

Mr. Mandeep Singh Sachdev, Advocate for respondent No.2.

\*\*\*

**H.S. Grewal, J.**

This petition has been filed under Section 482 Cr.P.C. by the petitioner for quashing of FIR No.20 dated 08.02.2022, under Sections 420, 465, 467, 468, 471, 120-B IPC read with Section 82 of the Registration Act, 1908 registered at Police Station Division No.7, Jalandhar and all other subsequent proceedings taken therein on the ground that the FIR has wrongly been registered since the dispute is purely civil in nature.

2. Learned counsel for the petitioner submits that the present FIR is an abuse of the process of law as on the initial complaint of the complainant, a detailed enquiry had been conducted by the Assistant Commissioner of Police, Headquarter, Jalandhar wherein it was found that the dispute between the



CRM-M-30817-2023

-2-

parties is of civil in nature. Subsequently, as per the opinion of the District Attorney Legal, Jalandhar, no further action was called for and the file was consigned to the record. The enquiry report of the Assistant Commissioner of Police, Headquarter Jalandhar and the report of the District Attorney, Legal, Jalandhar are appended at Annexures P-22 & P-23 respectively. But later on, a similar complaint was filed and the present FIR has been registered which is totally unsustainable under the law. He also submits that the petitioner being a *bonafide* purchaser of the plot, has been implicated while exonerating the vendor of the petitioner. In support of his submissions, he has relied upon the judgment of Hon'ble the Supreme Court in the case of **Md Ibrahim and others versus State of Bihar and another, 2009(8) SCC 751.**

3. On the other hand, learned counsel for respondent No.2/complainant has alleged that the plot measuring 15 marlas. situated in village Mithapur, Tehsil and District Jalandhar each marla measuring 272 sq. ft. comprised in khasra Nos.2//14/1/1, 15/1, 16/4 is the part of the colony and therefore, the revenue description of the entire rectangle numbers is common for all the plot purchasers. It is alleged that the petitioner had purchased the plot from other persons, who were predecessors-in-interest. However, he had only purchased the '*rastas*' which were left out while carving out the colony and in the sale deed, he had described the plot and given the description of the plot belonging to the complainant.

4. I have heard the learned counsel for the parties and have carefully gone through the record of the instant case.

**CRM-M-30817-2023****-3-**

5. In the instant case there exist disputed question of fact concerning the authenticity of land, its description in the Registry and issues qua possession which overlaps the civil jurisdiction as the civil suit previously filed was withdrawn on 21.03.2013. However, this Court cannot look into the disputed question of facts or examine the evidence in support thereof. Therefore, this petition for quashing of the FIR is dismissed.

6. Nevertheless the petitioner is entitled to raise all these pleas as a part of the defence evidence before the appropriate Court at an appropriate stage.

**(H.S.GREWAL)**  
**JUDGE**

**12.03.2025**  
A.Kaundal

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No