



135 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-38938-2025 (O&M)

Date of Decision: 22.07.2025

RAJINDER PAL SINGH

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, Sr. DAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 528 Bharatiya Nagrik Suraksha Sanhita, 2023 seeking quashing of FIR No. 358 dated 28.09.2024 under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code registered at Police Station Shivaji Nagar Gurugram, District Gurugram along with all subsequent proceedings arising therefrom.

2. FIR(supra) has been registered on the statement of Sunita Bansal, who stated that she had purchased a residential House bearing No. 329/16 measuring 111 sq. yards having covered area of 1000 sq. ft. situated in Shivaji Nagar, Gurugram from Gurjeet Kaur vide registered sale deed vasika No. 10332 dated 07.02.2022. The aforesaid property was inherited to Gurjeet Kaur through registered Will executed by Avtar Singh and as per the allegations, the above said accused person-Avtar Singh reached at the above mentioned property and said that he was owner of the said property from last few years and removed their goods from the said property. Upon enquiry, it was found that accused person shown as owner of the property through sale deed and in that sale deed, the previous documents were shown as GPA vide vasika No. 1144 dated 28.06.2008 registered in the office of Chaas Bokaro,



Jharkhand. The said GPA was registered in favour of one Ravinder and the said Ravinder, had sold the said property to Rajinder Pal Singh (petitioner herein) and thereafter the petitioner sold the property to Baldev Singh and finally Baldev Singh sold the above said property in favour of Davinder Singh Nandal.

3. Learned counsel for the petitioner, *inter alia*, contends that petitioner has been illegally entangled in the FIR(supra) as a part of the conspiracy being hatched by the complainant in connivance with other members of the association. Further the police officials have registered the FIR(supra) mechanically and without having any incriminating evidence against the petitioner. Lastly, learned counsel for the petitioner submits that the petitioner would be satisfied in case all the documents, which are annexed with the present petition and all the averments made herein, are considered by the Investigating Officer before submitting the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

4. Notice of motion.

5. On asking of the Court, Mr. Gagandeep Singh Chhina, Sr. DAG Haryana, who is present in the Court, accepts notice on behalf of the respondent No. 1-State and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

6. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself.



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7. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition and averments made in the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

8. It is clarified that in case, final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*) is against the petitioner, he would be at liberty to file a fresh petition to challenge the FIR (*supra*) as well as the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

(HARPREET SINGH BRAR)
JUDGE

23.07.2025
Ajay Goswami

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