



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

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**CRM-M No.7632 of 2025
Date of decision: 11.02.2025**

Gurpreet Singh Virdi

....Petitioner

Versus

Union Territory of Chandigarh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aniket Aggarwal, Advocate
and Mr. Akinchan Aggarwal, Advocate
for the petitioner.

Mr. Vivek Singla, APP, U.T., Chandigarh.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'the BNSS, 2023'), is for quashing of FIR No.103 dated 13.05.2024 registered under Sections 451, 380, 506 and 34 IPC at Police Station Sector 36, Chandigarh. Further prayer has been made to stay the proceedings in pursuance to the FIR (supra), during the pendency of the present petition.

2. Learned counsel for the petitioner, inter alia, contends that the FIR (supra) was registered at the instance of Gurvinder Singh, alleging that he is a co-owner of House No.2409, Sector 35-C, Chandigarh, and had been allotted the first floor along with his brother Harvinder Singh after their father's demise. However, due to domestic disputes, Gurvinder Singh started living elsewhere but regularly visited



his portion of the house. It is alleged that on 03.06.2021, when he last visited the house, he found that Harvinder Singh had broken the lock of his occupied room and stolen belongings worth Rs.5-6 lakhs, and vandalized his portion without his consent. Upon confrontation, Harvinder Singh and his son Gurpreet Singh allegedly abused and threatened him, stating that they had taken possession of his share and would neither return his property nor allow him to stay in the house. They further threatened to kill him if he attempted to reclaim his rightful share.

3. Learned counsel for the petitioner submits that the petitioner would be satisfied in case all the documents, which are annexed with the present petition, are considered by the Investigating Officer before submitting the challan/final report under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS, 2023').

4. Notice of motion.

5. On asking of the Court, Mr. Vivek Singla, APP, U.T., Chandgiarh, who is present in the Court, accepts notice on behalf of the respondent – 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 challan/final report under Section 193 of BNSS, 2023.

6. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

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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, before preparing the final report under Section 193 of BNSS, 2023.

8. It is clarified that in case, final report under Section 193 of BNSS, 2023, is against the petitioner, he would be at liberty to file afresh petition to challenge the FIR (*supra*) along with challan/final report under Section 193 of BNSS, 2023.

(HARPREET SINGH BRAR)
JUDGE

11.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No