

**(2011) 03 P&H CK 0397**

**In the Punjab And Haryana At Chandigarh**

**Case No :** Criminal Miscellaneous No. M-6521 of 2011 (O and M)

Abhishek Jain and Others

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

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**Date of Decision :** 03-03-2011

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 482

Penal Code, 1860 (IPC) — Section 120B, 406, 420

Prize Chits and Money Circulation Schemes Banning Act, 1978 — Section 4, 5

**Citation :** (2011) 03 P&H CK 0397

**Hon'ble Judges :** Daya Chaudhary, J

**Bench :** Single Bench

**Final Decision :** Dismissed

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## **Judgement**

Daya Chaudhary, J.

CrI. Misc. No. 11842 of 2011

CrI. Misc. is allowed as prayed for.

CrI. Misc. No. M-6521 of 2011

1. This petition has been filed u/s 482 Code of Criminal Procedure for quashing of FIR No. 105 dated 18.9.2010 under Sections 420, 406, 120B IPC and registered at Police Station Bhikhi, District Mansa.

2. Learned Counsel for the Petitioners submits that the Petitioners have been implicated in the case only on the basis of false allegations. The FIR was registered on the basis of secret information whereas no such complaint was filed at the instance of any party who was aggrieved by the action of the Petitioners.

3. Heard the arguments of learned Counsel for the Petitioners and have also perused the contents of the FIR and other documents available on the file.

4. Although the FIR has been registered on the basis of secret information but

specific allegations are there against the Petitioners and the allegations of cheating and misleading the persons are there. It has specifically been mentioned in the FIR that false assurances were given to the persons on behalf of the Company to deposit an amount of Rs. 6000/- and amount of Rs. 1 lac would be paid after expiry of one and a half year. False promises and assurances have been attributed to the Petitioners with regard to the amount to be paid in case certain amount is deposited with the company.

5. Since the investigation of the case is in progress and the same has not been completed, it cannot be said at this stage whether the allegations are correct or not. The mere fact that the FIR was registered on the basis of secret information is no ground for quashing of the FIR at this stage. If any direction is issued at this stage, that would amount to interference with the investigation which is not warranted. Accordingly, there is no merit in the contentions raised by the learned Counsel for the Petitioners and the petition being devoid of any merit is hereby dismissed.