



CRM-M-6560-2026

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

(135)

CRM-M-6560-2026.

Date of Decision:-07.09.2026.

Prabhdeep Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Anurag Arora, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed for issuance of a direction to the respondents to proceed in accordance with the law and conduct a fair and impartial investigation into the FIR No.0165 dated 04.11.2025, under Section 201 of BNS, 2023, registered at Police Station City Patti, District Tarn Taran (Annexure P-1).

2. Learned counsel for the petitioner submits that the authorities are hand-in-glove with the main accused who committed the offence of forging an order of the Hon'ble High Court and the order passed by SDM, Patti, (SDM) based upon which the Patwari recorded a wrong entry in the



CRM-M-6560-2026

revenue record that there is a stay granted by the Hon'ble High Court. In fact, no such stay was ever granted, and rather, the writ petition filed by main accused Jasbir Singh and others was dismissed on 01.05.2024. It is further submitted that the authorities are bent upon to protect the main accused who are wanting to grab the land of the petitioner by forging the documents. It is submitted that the conduct of the authorities is apparent from the fact that the FIR has been lodged invoking Section 201 of BNS only against the Patwari and proper investigation has not been conducted with reference to the fact as to who are the actual beneficiary of such a fraud which had been committed. Learned counsel further submitted that the actual persons behind the entire commission of offence were Jasbir Singh, Bikramjit Singh and Atinderjeet Singh, who allegedly prepared the fake orders, affixed fake seals and presented the applications, against whom the relevant provisions for committing forgery, criminal conspiracy, cheating and falsification of public records should have also been invoked.

3. At this stage, Vivek K. Thakur, Advocate, has put in appearance on behalf of Bikramjit Singh and filed his *vakalatnama*, which is taken on record. Mr. Vivek K. Thakur, Advocate, has assisted the learned State counsel, who has argued that the alleged fake forged order of the High Court has never seen the light of the day. Learned State counsel submits that thorough inquiry had been conducted and although it is correct that there was no order of any such restriction being imposed qua the sale or mortgage of the said property, however, it is needed to be considered that the entry which was wrongly recorded by the Patwari had also been



CRM-M-6560-2026

corrected and necessary steps have been taken. The authorities have already taken their appropriate steps and after verification, when it was found that the Revenue Patwari Sukhjinder Singh had made the wrong entry in the *Jamabandi* for the year 2018-19, the authorities have proceeded against him.

4. Heard the learned counsel for the parties at length.

5. Admittedly, the present petition is only for seeking a direction that the other alleged accused be also nominated in the present FIR. However, it is apposite to mention that the investigation is primarily within the domain of the Investigating Agency and upon submission of the police report, the competent Court is vested with adequate powers to consider the material collected during investigation and to take appropriate action in accordance with law. Hon'ble the Supreme Court in the case of **Sakiri Vasu V/s State of U.P. and others, reported as 2008(2) SCC 409** has recognized the wide powers of Magistrate under Section 156(3) Cr.P.C. [Section 175(3) BNSS], the relevant extract of the same reads as under:-

“17. In our opinion [Section 156\(3\)](#) Cr.P.C. is wide enough to include all such powers in a Magistrate which are necessary for ensuring a proper investigation, and it includes the power to order registration of an F.I.R. and of ordering a proper investigation if the Magistrate is satisfied that a proper investigation has not been done, or is not being done by the police. [Section 156\(3\)](#) Cr.P.C., though briefly worded, in our opinion, is very wide and it will include all such incidental powers as are necessary for ensuring a proper investigation.

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24. In view of the abovementioned legal position, we are



CRM-M-6560-2026

of the view that although [Section 156\(3\)](#) is very briefly worded, there is an implied power in the Magistrate under [Section 156\(3\)](#) Cr.P.C. to order registration of a criminal offence and /or to direct the officer in charge of the concerned police station to hold a proper investigation and take all such necessary steps that may be necessary for ensuring a proper investigation including monitoring the same. Even though these powers have not been expressly mentioned in [Section 156\(3\)](#) Cr.P.C., we are of the opinion that they are implied in the above provision.

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27. As we have already observed above, the Magistrate has very wide powers to direct registration of an FIR and to ensure a proper investigation, and for this purpose he can monitor the investigation to ensure that the investigation is done properly (though he cannot investigate himself). The High Court should discourage the practice of filing a writ petition or petition under [Section 482](#) Cr.P.C. simply because a person has a grievance that his FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police. For this grievance, the remedy lies under Sections 36 and 154(3) before the concerned police officers, and if that is of no avail, under Section 156(3) Cr.P.C. before the Magistrate or by filing a criminal complaint under Section 200 Cr.P.C. and not by filing a writ petition or a petition under Section 482 Cr.P.C.”

6. In view of the aforesaid legal position, this Court finds no ground to issue any direction at this stage for arraying the persons sought to be nominated as accused. Accordingly, the present petition stands **disposed of**, with liberty to petitioner to avail the remedies available in law



CRM-M-6560-2026

before the competent Court, at an appropriate stage.

(ALOK JAIN)
JUDGE

September 07, 2026.
S. Sethi

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