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

**CRM-M No.5545 of 2026
Date of decision: 13.05.2026**

Sandeep Nangia and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Suneet Sharma, Advocate
for the petitioners.

Mr. Sahil Chowdhary, AAG, Punjab.

MANDEEP PANNU, J. (Oral)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.77 dated 28.07.2025 registered under Sections 115(2), 351(2), 325 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 11(1)(a) of the Prevention of Cruelty to Animals Act, 1960 at Police Station Dhakoli, SAS Nagar (Mohali) and all consequential proceedings arising therefrom.

2. Briefly stated, the present FIR has been registered on the statement of complainant Deepak Kumar, resident of Royal Empire, Peer Muchalla, Dhakoli, District SAS Nagar. As per the allegations levelled in the FIR, the complainant along with his brother Pardeep Kumar had been feeding stray dogs in and around the society for the last several months. On 20.07.2025 at about 07:15 PM, when they had gone to Motia Blue Ridge



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Society, Peer Muchalla for feeding stray dogs, they were stopped at the security gate by the security personnel on the ground that certain residents of the society wanted to talk to them. Thereafter, around 20-25 residents allegedly gathered at the spot, out of whom the complainant identified petitioners Sandeep and Sai Vashishth. It has further been alleged that the petitioners and other residents pushed and surrounded the complainant and his brother, snatched the key of the motorcycle and mobile phone of the complainant and threatened them with dire consequences in case they were seen near the society again. Subsequently, the complainant allegedly received information from the security guard of the society regarding an injured stray dog lying inside the society. An ambulance was arranged for rescuing the dog, however, the residents of the society allegedly stopped the ambulance driver from entering the society and also snatched his mobile phone. It is further alleged that with the intervention of the police, the ambulance driver was rescued and on the next day, the injured dog was also rescued with police assistance. On the basis of the aforesaid allegations, the present FIR came to be registered against the petitioners and other unknown residents of the society.

3. Learned counsel for the petitioners contends that the present FIR is nothing but an abuse of the process of law and has been registered on false and concocted allegations. It is submitted that for the last several months, certain unauthorized persons including respondent No.2 and his associates had been entering Motia Blue Ridge Society without permission, verification or authorization from the security guard under the pretext of



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feeding stray dogs. It is further contended that on 20.07.2025 at about 07:15 PM, respondent No.2 along with his brother forcibly entered the society premises by bypassing the security protocols and when they were stopped by the security guards, they allegedly abused and threatened the guards, claimed links with PETA and refused to disclose their identity or show any identification proof. Learned counsel for the petitioners further submits that the complainant party created nuisance inside the society premises and thereafter, abandoned their motorcycle and mobile phone in the society, which were later returned to them. It is argued that subsequently, an ambulance driver namely Tinku also entered the society premises without verification on the pretext of rescuing a dog and after intervention of the residents and police officials, he was peacefully escorted to Police Station Dhakoli and no harm whatsoever was caused either to the ambulance driver or to any animal. It is further contended that despite the petitioners themselves being victims, the police, instead of taking action on the complaint moved by the management committee/residents of the society regarding trespassing and intimidation by the complainant party, proceeded to register the present FIR against the petitioners. Learned counsel also submits that the CCTV footage clearly demonstrates that the complainant and his companions had forcibly and illegally entered the society premises and no mobile phone or any other article was ever snatched by the petitioners. Reliance has also been placed upon the CCTV footage annexed with the petition to contend that the allegations levelled in the FIR are patently false and exaggerated. Learned counsel for the



petitioners further submits that all the offences incorporated in the FIR are bailable in nature and the petitioners have already joined the investigation and have been released on bail by the Investigating Officer pursuant to the order passed by learned Additional Sessions Judge, SAS Nagar, Mohali. It is also argued that the petitioners are law-abiding citizens, are not involved in any other criminal case and continuation of the present criminal proceedings would amount to misuse of the process of law.

4. On the other hand, learned State counsel, on the instructions from ASI Nirmal Singh, has opposed the present petition and argued that the FIR discloses commission of cognizable offences and contains specific allegations against the petitioners. It is submitted that as per the allegations in the FIR, the petitioners along with other persons wrongfully restrained the complainant party, extended threats and also committed acts attracting offences punishable under Sections 115(2), 351(2) and 325 BNS. It is further contended that the allegations regarding snatching of mobile phone, intimidation, physical assault and obstruction caused to the complainant party and ambulance driver are all matters requiring proper investigation and appreciation of evidence during trial. Learned State counsel submits that the defence sought to be raised by the petitioners on the basis of CCTV footage and rival allegations cannot be adjudicated upon in proceedings under Section 528 BNSS. It is argued that the petition involves disputed questions of fact regarding the manner of occurrence, identity and role of the accused persons, whether force was used upon the complainant party, whether threats were extended and whether the complainant and ambulance



driver were wrongfully restrained, which can only be determined after the parties lead evidence before the trial Court.

5. After hearing learned counsel for the parties and perusing the record, this Court does not find any ground to invoke the inherent jurisdiction under Section 528 BNSS for quashing of the FIR.

6. It is well settled that the inherent powers of this Court under Section 528 of the BNSS for quashing of an FIR are to be exercised sparingly, carefully and with great caution. Such jurisdiction can be invoked only where the allegations made in the FIR, even if taken at their face value, do not disclose the commission of any offence or where the proceedings are manifestly attended with mala fide and continuation thereof, would amount to abuse of the process of law. At the stage of considering a petition for quashing, this Court is not expected to conduct a roving enquiry into the disputed questions of fact or appreciate the evidence as if conducting a trial. Where the allegations *prima-facie* disclose commission of cognizable offences and the matter requires appreciation of oral as well as documentary evidence, the truthfulness or otherwise of the allegations is to be adjudicated upon by the trial Court after the parties lead their respective evidence.

7. A perusal of the allegations levelled in the FIR *prima-facie* discloses commission of cognizable offences against the petitioners. The contentions raised by the petitioners pertain to disputed questions of fact, including the manner in which the complainant party entered the society premises, whether the complainant and his brother were assaulted or



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threatened, whether any mobile phone was snatched, whether the ambulance driver was obstructed and whether the petitioners or the complainant party were the aggressors. All these factual controversies require appreciation of evidence and cannot be conclusively determined by this Court while exercising jurisdiction under Section 528 BNSS.

8. The defence sought to be projected by the petitioners on the basis of CCTV footage and their version of the incident can very well be raised before learned trial Court at the appropriate stage. At this stage, this Court cannot conduct a mini trial or examine the veracity and truthfulness of the rival allegations. Since the FIR and the material collected during investigation disclose *prima-facie* allegations requiring adjudication on evidence, no case for quashing is made out.

9. Consequently, the present petition being devoid of merit is hereby dismissed.

10. All pending applications, if any, also stand disposed of.

11. However, nothing observed herein shall be construed as an expression on the merits of the case.

(MANDEEP PANNU)
JUDGE

13.05.2026
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No