

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11900-2012 (O & M)
Date of decision:01.12.2015

Gulzar Singh

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Parshant Sethi, Advocate,
for Mr. Vaibhav Sehgal, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No.84 dated 02.09.2010 registered under Sections 380/448/149 IPC at P.S. Jamalpur, District Ludhiana.

Petitioner seeks quashing of FIR in question on the ground that same is a counter-blast to other proceedings pending against the complainant. Besides, in the enquiry conducted in the matter, concerned officer recommended submission of cancellation report.

Learned State counsel on instructions from ASI Baljeet Singh points out that trial in the case is in progress and three prosecution witnesses have already been examined.

It is evident that allegations in the FIR and the final report submitted by the investigating agency can be examined only after some evidence is led before the trial court. No conclusion can be arrived at on the basis of affidavits filed in this petition under Section 482 Cr.P.C. The case is pending since the year 2012. Vide order

dated May 08, 2015, this court had directed that proceedings before the trial court would continue. Request for adjournment was made on the last date of hearing i.e. July 28, 2015. Similar request has been repeated today. However, as the case is being disposed of on merits, request for adjournment cannot be entertained.

Present petition is without any merit and is hereby dismissed.

01.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE