

CRM-M-13234-2015 (O&M)

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

**CRM-M-13234-2015 (O&M).
Decided on: August 10, 2015.**

Major Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Jaideep Verma, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

The petitioner seeks quashing of FIR which was registered on 10.2.2015 in a case of theft and cheating and also under Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 read with Section 3 & 4 of Damage of Public Property Act, registered at Police Station, Rahon, on the allegations that a jeep in the name of petitioner was found being used by his co-accused for illegal activities.

As per the allegations, the petitioner allegedly escaped from the spot.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the case on the basis of the registration of the vehicle being in his name. It is urged by the counsel for the petitioner that the petitioner has sold the vehicle to Raj Kumar. In this context, the police has already verified the matter

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as per Annexure P2 a report of DTO.

I have heard the learned counsel for the petitioner.

The FIR in this case was registered on 10.2.2015.

On asking of the Court, counsel for the petitioner informs that report under Section 173 (2) Cr.P.C., has not been filed by the police on the basis of the investigation.

After hearing the counsel for the petitioner and the relevant documents referred to by him, I am of the opinion that since the prosecution agency till date has not filed report under Section 173 (2) Cr.P.C., and the matter is still under investigation, expecting that the Investigating Agency would fairly investigate the matter regarding the culpability and involvement of the petitioner, this petition is disposed of as pre-mature without prejudice to the rights of the petitioner to approach this Court again in case the circumstances so warrant.

August 10, 2015.
rka

(M.M.S. BEDI)
JUDGE