

Crl. Misc. No. M-16973 of 2014

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

Crl. Misc. No. M-16973 of 2014

Date of decision: 13.07.2015

Dharamvir Kumar

....Petitioner

Versus

The State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. Anil Kumar, Advocate, for
Mr. Rajneesh Chadwal, Advocate, for the petitioner.
Mr. Anil Mehta, DAG, Haryana.
Mr. Sumeet Goel, Standing Counsel, for respondent No.2.

PARAMJEET SINGH, J. (ORAL)

Instant petition under Section 482 of the Code of Criminal Procedure has been filed for quashing the FIR No. RCS 12013(S)0003 dated 16.04.2013 registered under Sections 279, 337, 304-A, 427 IPC at Police Station CBI/SCE/CHG pending in the Court of Special Judicial Magistrate, Panchkula, as qua same offence FIR No.147 dated 26.07.2010 under Sections 279, 337, 304-A, 427 IPC, registered at Police Station Sadar Narnaul, is already pending in the Court of learned Additional Chief Judicial Magistrate, Narnaul.

Learned counsel for the CBI submits that since the investigation was entrusted to CBI. As per procedure of the CBI, separate FIR of the case was registered for the purpose of investigation.

It is further submitted that both the cases are being tried by the Special

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Judicial Magistrate, Panchkula and have been clubbed by this Court vide order dated 16.05.2014 passed in Crl. Misc. No.12703 of 2014.

In fact, incident is the same and two different FIRs have been registered because cases were investigated by two different agencies i.e. State of Haryana and the Central Bureau of Investigation. Both the cases have already been clubbed and are being heard by the Special Judicial Magistrate, Panchkula. It appears that this fact was not brought to the notice of Co-ordinate Bench on 16.05.2014 when the matter was taken up by the said Bench and notice of motion was issued.

In view of above, no further orders are called for.

Dismissed.

(Paramjeet Singh)
Judge

July 13, 2015
R.S.