

CRM-M-39675-2015 (O&M)

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

**CRM-M-39675-2015 (O&M).
Decided on: November 26, 2015.**

Ramji Lal and others

..... Petitioner(s)

Versus

The State of Haryana and another

..... Respondent(s)

*** * ***

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

**PRESENT Mr.Ashok Verma, Advocate,
for the petitioners.**

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

Petitioner seeks quashing of FIR registered in the year 2013.

On asking of the Court, it has been informed that after framing of charge, the prosecution evidence has already been completed and the case is at the stage of defence evidence.

In view of said circumstances, I do not find any ground to interfere at the penultimate stage of the trial. It will be open to the petitioner to seek acquittal on merits by taking up all the pleas raised in the present petition.

Counsel for the petitioner has relied upon a judgment passed by this Court in **Parmod Kumar and another Vs. State of Haryana and others, CRM-M-52558 of 2015, decided on 14.7.2008**, in which case there was allegation of theft against the petitioners regarding two small nozzles. The FIR was registered in

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the year 2007. Taking into consideration the peculiar facts and circumstances of said case, this Court had held that the allegations in the complaint were absurd and inherently improbable and that on the basis of said allegation no prudent person can ever reach just conclusion that there is sufficient ground for proceeding against the accused. The circumstances of this case are not akin to the circumstances of the referred case. In said circumstances, the FIR had been quashed immediately after registration of the FIR.

Taking into consideration the above said circumstances, the ratio of the judgment cited by the counsel for the petitioner is held not applicable.

The petition is dismissed without prejudice to the rights of the petitioner to seek acquittal by raising all the pleas before the trial Court.

November 26, 2015.
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(M.M.S. BEDI)
JUDGE