

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48394-2017

Date of decision: 18.12.2017

Bhupinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Agnihotri, Advocate,
for the petitioner.

JAISHREE THAKUR, J.(ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 157 dated 08.12.2016, under Sections 406 and 498-A of the IPC, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur and all subsequent proceedings arising therefrom.

Learned counsel for the petitioner contends that the instant FIR is nothing but an abuse of process of law. It is contended that initially respondent No.4-complainant had filed a complaint at Police Station Mukerian, which matter had been investigated and the complaint was filed. It is thereafter the instant FIR was registered at Police Station Hoshiarpur in which there has been non-compliance of the judgment rendered in ***Arnesh Kumar vs. State of Bihar, 2014(3) R.C.R. (Criminal) 527***. Learned counsel for the petitioner submits that he would be satisfied in case the instant petition is disposed of with a direction to respondent No.2 to investigate the matter thoroughly before putting up the challan in compliance with the

judgment rendered in *Arnesh Kumar* (supra).

Notice of motion.

On asking of the Court, Mr. A.S. Dhaliwal, learned DAG, Punjab, who is present in the Court, accepts notice on behalf of the State. Three copies of the petition be handed over to him by learned counsel for the petitioner during the course of the day failing which no action is called for. He submits that the matter would be looked into within a period of six weeks.

Heard.

Without going into the merits of the case, the instant petition is disposed of with a direction to respondent No.2 to investigate the matter thoroughly before putting up the challan in compliance with the judgment rendered in *Arnesh Kumar* (supra), within a period of six weeks from the date of receipt of the certified copy of this order.

18.12.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No