

CRM-M-609-2018

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

CRM-M-609-2018

Date of Decision: 22.03.2018

Gagandeep Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Baljinder Singh, Advocate,
for the petitioner.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

Respondent no. 2 is present in person with
Mr. Anil Kumar Bhardwaj, Advocate.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, the petitioner seeks quashing of FIR No. 173 dated 22.10.2017, registered at Police Station City Malout, District Sri Muktsar Sahib, for the alleged commission of offences punishable under Sections 307/382/148/149 IPC.

As already recorded in the order dated 11.01.2018, the complainant in the FIR, i.e. respondent no. 2 Mangat Ram, was stated to have submitted before the learned Additional Sessions Judge, Sri Muktsar Sahib, in reply to the bail application filed by the petitioner, that the petitioner had never been named by him at all in the original complaint and that his name had been wrongly entered in the FIR.

Thereafter, vide the order dated 15.03.2018, this Court had noticed that even in the carbon copy of what was stated to be the complaint of respondent

CRM-M-609-2018

no. 2, recorded before ASI Rashpal Singh on 22.01.2007, the petitioner, Gagandeep Singh, son of Tejinder Singh, was also named as an accused along with various other persons such as Sukhbir Singh etc., with the carbon copy of the complaint shown to be carrying the signature of respondent no. 2.

Consequently, the said complainant-respondent no. 2 (Mangat Ram) had been directed to be present in Court today.

Today respondent no. 2 is present in Court and by way of identification has produced his voter card, issued by the Election Commission of India, on which the photograph is seen to be matching with the person who is present in Court.

On query by the Court, he submits that he had never actually named the petitioner, Gagandeep Singh, in the FIR in question.

That being so, without going further in this issue, this being the second time before two different courts that the said respondent has denied the involvement of the petitioner in the occurrence, the petition is allowed and FIR No. 173, dated 22.10.2017, registered at Police Station City Malout, District Sri Muktsar Sahib, alleging therein the commission of offences punishable under Sections 307/382/148/149 IPC, is hereby quashed qua the petitioner only, along with all proceedings emanating therefrom.

March 22, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes