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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
10/11/2018 16:45
I attest to the accuracy and
authenticity of this document

CRM-M-55946-2018 (O/M)
Date of decision : 17.12.2018

Mithlesh Kumari Petitioner (s)
Versus
State of Haryana and others Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sandeep Kumar, Advocate, for,
Mr. Rakesh Gupta, Advocate,
for petitioner.

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KULDIP SINGH, J. (ORAL)

Heard.

Petitioner seeks quashing of FIR No. 110, dated 24.9.2018, registered under Sections 419, 420, 467, 468, 471, 120-B IPC, at Police Station Bapoli, District Sonipat (Annexure-P-9) alongwith consequential proceedings arising therefrom.

Perusal of FIR in question (Annexure-P-9) shows that proceedings under Section 145 Cr.P.C. were pending before Sub Divisional Magistrate, Samalkha. During said proceedings, order dated 20.9.2018 (Annexure-P-8) was passed by Sub Divisional Magistrate, Samalkha and a request was made to police to register FIR against petitioner etc. Accordingly, FIR in question was registered against petitioner etc.

The learned counsel for petitioner contends that petitioner is a purchaser and has nothing to do with matter.

I am of the view that when proceedings under Section 145 Cr.P.C. are pending and a judicial order has been passed, let matter be investigated and if after investigation, challan is presented in Court, petitioner can always raise all these pleas before Court. During

investigation, petitioner can put forward her side of story before police. Let police investigate story, put forward by petitioner, and submit final report to learned Illaqa Magistrate. Needless to say that if final report is presented before learned Illaqa Magistrate and petitioner is not satisfied with same, she can always come and file petition before this Court with appropriate prayer.

In view of matter, petition is disposed of.

(KULDIP SINGH)
JUDGE

17.12.2018
sjks

Whether speaking order	:	Yes	/	No
Whether reportable	:	Yes	/	No