

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-27733 of 2019

Date of Decision: 16.12.2019

Lovepreet Singh

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Amol Rattan Singh

Present: Mr. Swarn Tiwana, Advocate
for the petitioner(s).

Mr. B.S.Sewak, Additional Advocate
General, Punjab for respondent No.1.

Amol Rattan Singh, J.

By this petition in which the petitioner seeks quashing of the
FIR in question, the following order was passed on 13.12.2019:-

“Today, learned counsel for the petitioner being present, learned counsel for the State has again reiterated that the CCTV footage that is being relied upon by the petitioner, pertains to an occurrence when the brother of the complainant in the present FIR, i.e. the brother of Mohan Lal (Pawan Kumar) was being beaten up; in respect of which FIR N o. 46 dated 08.04.2019 was registered.

He submitted that the occurrence in question would be corroborated from even the statement of the complainant, who has stated in the FIR that in fact earlier his brother, Pawan Kumar, had been beaten up by the petitioner and his friends, and on the date that the “current FIR” was registered, i.e. FIR No. 74 dated 03.04.2009, he (i.e. the

complainant) Mohan Lal, had been beaten up.

Learned counsel for the petitioner seeks time to take instructions as to whether the person shown in the CCTV footage/photographs being relied upon by the petitioner is actually Pawan Kumar or Mohan Lal.

Though otherwise I would find no reason whatsoever to doubt what the investigating agency is saying affirmatively as regards the identity of the person being beaten up, yet simply for learned counsel for the petitioner takes instructions, adjourned to 16.12.2019.

To be shown in the urgent motion list.

However, it is made clear that any request for adjournment on that date by learned counsel for the petitioner would entail automatic vacation of the interim order.”

Today, learned counsel for the petitioner submits that the petitioner does not wish to pursue this petition.

That being so, for the reason that the petitioner obviously tried to mislead the court, this petition is dismissed with costs of ₹ 50,000/- imposed upon the petitioner, to be paid to the District Legal Services Authority, Patiala, within a period of two months from today.

(Amol Rattan Singh)
Judge

December 16, 2019
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No