

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-3683-2021(O&M)
Decided on : 08.07.2021

KULWINDER SINGH

. . . Petitioner

Versus

STATE OF HARYANA AND ANOTHER

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Rajesh Kapila, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

This is the 2nd petition filed under Section 482 Cr.P.C., for quashing of the FIR No.105 dated 25.02.2020 under Section 376 IPC registered at Police Station Palam Vihar, District Gurugram.

It would be pertinent to mention that the petitioner had moved a petition i.e., **CRM-M-26618-2020**, which was dismissed as withdrawn in the following terms:-

“After arguing for sometime and realizing that the Court is not inclined to agree with him, learned counsel for the petitioner wishes to withdraw this petition with liberty to take all pleas at the appropriate stage during the trial.

Dismissed as withdrawn with the aforementioned liberty.”

Hence, this Court fails to comprehend as to how the instant petition can be entertained, more so, when no fresh material has come to light, subsequent to the withdrawal of the previous petition.

Moreover *prima facie* an offence under Section 376 IPC is

indeed made out on a bare perusal of an FIR, hence this Court is not inclined to invoke its inherent jurisdiction under Section 482 Cr.P.C.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 08, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>