

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

CRM-M-10674-2021

DECIDED ON: 8th MARCH, 2021

HARJINDER SINGH @ MINTU

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ankur Bansal, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition filed for quashing of General Diary (G.D) No. 24, dated 08.08.2020, under Section 110, 150 (G) of Code of Criminal Procedure 1973 (Cr.P.C.) whereby preventive action is initiated against the petitioner. Further prayer is for quashing of Kalandara dated 08.08,.2020 titled as State versus Harjinder Singh presented under Section 110, 150 (G) of Cr.P.C. against the petitioner.

Learned counsel for the petitioner submits that the impugned Kalandara and General Diary dated 08.08.2020 are based on wrong facts. It was not considered that the petitioner was acquitted in some of FIRs. The grievance is that no opportunity was provided to petitioner put forth the correct factual aspects.

Learned State counsel appears on advance notice.

the petitioner but his bhabhi (Sister-in-law) informed that the petitioner had gone to attend a marriage.

Factual disputes are being raised and it is not disputed that there was no effective opportunity with the petitioner to put forth his version. The impugned General Diary and Kalandara dated 08.08.2020 are set aside. The matter is sent back to the Station House Officer, Police Station Navi Baradari, Jalandhar to proceed in accordance with law after providing opportunity to the petitioner.

To avoid further complication, let the petitioner appear before the SHO on 25th March, 2021 at 11.00 AM.

Disposed of.

(AVNEESH JHINGAN)
JUDGE

8th MARCH, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>