

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

**CRM-M-20394-2021
Date of decision: 02.07.2021**

Neena Garg and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ravish Bansal, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of FIR No. 0386 dated 22.11.2019, registered under Sections 406, 420 of the IPC at Police Station Sohana, District S.A.S. Nagar along with all the subsequent proceedings arising therefrom.

Learned State counsel has raised a preliminary objection that since the investigation is still going on and the report under Section 173 Cr.P.C. is yet to be submitted, this petition is premature.

In reply, learned counsel for the petitioner has submitted that the defence, which has been set up by the petitioners, is not being considered by the police authority and without taking into consideration the same, the police is contemplating to file the report under Section 173 Cr.P.C.

Accordingly, the present petition is disposed of at this stage directing the Investigating Officer to look into all the defences/pleas taken

by the petitioners before filing the report under Section 173 Cr.P.C. including the objection that previous reports were not correct.

The petitioners shall file a written application to the Investigating Officer explaining all their defences/pleas and the same will be considered by the Investigating Officer in accordance with law.

Liberty is granted to petitioners to file a fresh petition in case any adverse report is filed against them.

02.07.2021
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>