

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

CRM-M-25330-2021

Date of decision-06.07.2021

Lakhwinder Singh and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anupam Bhardwaj, Advocate for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of FIR No.43 dated 25.02.2017 registered under Sections 356, 380, 427, 452, 148 and 149 Indian Penal Code, 1860 (Sections 356, 380, 148 and 149 IPC deleted during investigation) at Police Station Cantonment, District Police Commissionerate Amritsar.

Learned counsel for the petitioners has argued that the impugned FIR is not sustainable as previously for the similar offences, the petitioners were put to trial by way of a complaint case bearing No.RBT-146/2003, titled as “Prof.Vikram Aditya Vs. Lakhwinder Singh and others” wherein the accused persons (petitioners) were discharged vide order dated 01.05.2003 (Annexure P-1). He submits that the registration of FIR by complainant on the same cause of action is nothing, but misuse of the process of law, therefore, impugned FIR

deserves to be quashed.

During the course of hearing, it is not disputed by learned counsel that the FIR was registered on 25.02.2017, wherein the occurrence is stated to be of 18.11.2016. Learned counsel has fairly conceded that after completion of investigation, final report stands filed and the same is pending before the trial Court for consideration on charge.

Since the investigation stands concluded and neither final report has been placed before this Court nor the same has been challenged, therefore, this Court is not inclined to exercise the inherent powers under Section 482 Cr.P.C for quashing of the FIR.

Dismissed.

(MANOJ BAJAJ)
JUDGE

06.07.2021

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No