

In virtual Court

CRM-M-27612-2021

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

**CRM-M-27612-2021 (O&M)
Date of decision: 22.07.2021**

Sita Ram

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Bhupinder Ghai, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of FIR No.142 dated 28.04.2021 under Sections 409 IPC, registered at Police Station Sadar Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the FIR has been registered on the basis of two letters, which were under challenge in CWP-10817-2020 and the same was disposed of vide order dated 29.07.2020 with a direction to the petitioner to appear before the Block Development and Panchayat Officer, Sirsa, who was further directed to proceed, in accordance with law. It is further submitted that though despite that present FIR has been registered and the defence taken by the petitioner was not considered.

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Learned State counsel has raised an objection that since the case is pending investigation before the police, this petition is premature.

Faced with the above, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file a comprehensive representation to be Investigating Officer along with all the documents in his defence and submits that the Investigating Officer be directed to consider all the documents before presenting the final report under Section 173 Cr.P.C. before the Illaqa Magistrate.

Accordingly, this petition is disposed of. In case the petitioner files a representation before the Investigating Officer within a period of 07 days from today, he will look into the same and deal with all the defence taken by the petitioner before submitting the final report under Section 173 Cr.P.C.

Liberty is granted to the petitioner to file fresh petition, in case any adverse report is filed.

[ARVIND SINGH SANGWAN]
JUDGE

22.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No