

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

Sr.No.125

**CRM-M No.30170 of 2021
Date of Decision: 25.10.2021**

Rajender Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Jasdev Singh Thind, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.225 dated 18.08.2019 registered at Police Station Uklana, under Sections 406, 409, 420 and 120-B IPC, while averring that the same has been registered with an ulterior motive and amounts to an abuse of the process of law.

Learned counsel for the petitioner contends that the subject FIR has been registered at the instance of the complainant named Shailender Kumar, who has been nurturing a grudge against the co-accused of the petitioner, i.e. Suresh Kumar, Ex Sarpanch and the petitioner has falsely been got implicated in this case.

Mr. S.S. Pannu, learned Deputy Advocate General, Haryana,

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who has joined the proceedings on behalf of respondent No.1-State in this case in pursuance of the copy of the present petition having been sent to this respondent in advance, apprises the Court that the investigation qua the afore-said FIR is at the initial stage and he argues that in view of the said fact, the present petition is not maintainable.

From the above-discussed submission as made by learned State counsel, it is explicit that the investigation in the case is still continuing. While setting aside the order of the High Court quashing the FIR, Hon'ble the Supreme Court has observed in the **Criminal Appeal No.423 of 2018, State of Tamil Nadu Versus S. Martin Etc. decided on 28.03.2018** that *“the assessment made by the High Court at a stage when the investigation was yet to be completed, was completely incorrect and uncalled for”*. These observations are fully applicable to the instant case and in the light of the same, it is held that this petition is not maintainable at this stage.

Resultantly, the present petition stands dismissed accordingly.

25.10.2021	(MEENAKSHI I. MEHTA)
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Whether speaking/reasoned	Yes
Whether Reportable	No