

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

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**CRM-M-35585-2021
Date of decision: 31.08.2021**

Som Dutt**...Petitioner**

Versus

State of Haryana and another**...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Ram Bilas Gupta, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing the cross case registered against the petitioner in FIR No. 111 dated 10.03.2020 (Annexure P-2), under Sections 148, 149, 307, 323, 506 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Quilla, District Panipat.

Learned counsel for the petitioner submits that initially the aforesaid FIR was registered on a complaint given by Azad against Sompal, Preeta @ Harpreet, Raman and challan against them has already been presented.

Learned counsel further submits that the FIR was registered on account of causing injury to complainant Azad by the accused persons. It is further stated that Azad has suffered three injuries.

A perusal of the report under Section 173 Cr.P.C., submitted in the said FIR, reveals that it was found that a cross case has been registered

by the Area Officer after finding that a cross case is made out.

Learned counsel further submits that the petitioner got the aforesaid FIR registered on 10.03.2020, however, the cross version in FIR No. 0443 has been registered on 07.09.2020.

Learned counsel further submits that after a period of about four months, the police submitted another report under Section 173 Cr.P.C. on 15.07.2021 against the petitioner Som Dutt, Preeta and Raman, under Sections 323, 324, 506, 34 of the IPC regarding the same incident, which happened on 10.03.2020.

The grounds taken by the petitioner for quashing of the present cross version are that there is a delay of about 01 year and 04 months in registration of the same and the same has been registered as a counterblast.

After hearing learned counsel for the petitioner, I find no ground to entertain the present petition, for the following reasons:

- (a) It is admitted that the cross version is relating to same incident, which is not disputed by the petitioner as the aforesaid FIR was registered by the petitioner's side.
- (b) Mere delay in registration of the cross version is no ground for quashing of the same and it is to be seen during the course of trial as the incident is same and admitted by the petitioner's side.
- (c) There is nothing stated in the petition that in the cross version, no one was injured from the complainant's side.

Therefore, considering the fact that it is a case of version and cross version, which can only be decided after leading evidence, I find that

this case is not covered under the ratio of law laid down by Hon'ble Supreme Court in *State of Haryana and others vs. Ch. Bhajan Lal and others, 1991 (1) R.C.R. (Criminal) 383.*

Accordingly, the present petition is dismissed.

31.08.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No