

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 124

CRM-M No. 38355 of 2021

Date of Decision: 16.09.2021

DEEPAK JHAWAR

.....Petitioner

V/s.

STATE OF HARYANA AND ANOTHER

.....Respondents

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

(Heard through Video-Conferencing)

Present: Mr. Gulshan Nandwani, Advocate,
for the petitioner.

MEENAKSHI I. MEHTA, J. (ORAL)

The petitioners herein seek the quashing of the FIR bearing No.0252 dated 08.08.2020 registered at Police Station Sector-50, District Gurugram under Sections 120-B, 379, 406, 419, 420, 467, 468 and 471 of the IPC as well as all the consequential proceedings arising there from, while averring that the same amount to sheer abuse of the process of law.

Mr. S.S. Pannu, learned Deputy Advocate General, Haryana, who has joined the proceedings on behalf of respondent No.1-State in this case in pursuance of copy of the instant petition having been sent to this respondent in advance, apprises the Court that the investigation in respect of the subject FIR is still continuing and the Challan has not yet been presented in the Court.

The Apex Court, while setting aside the order of the High Court quashing the FIR, has observed in **Criminal Appeals Nos. 423-424**

of 2018 titled as State of Tamil Nadu Vs. 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 explicit that this petition is not maintainable at this stage.

Resultantly, the present petition stands dismissed accordingly.

September 16, 2021

Ess Kay

**[MEENAKSHI I. MEHTA]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>