

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

CRM-M-43696-2021

Date of Decision : 25.11.2021

Sonu Giri

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. G.B.S. Dhillon, Advocate,
Mr. Chanchal K. Singla, Advocate and
Mr. Gagandeep Rana, Advocate for the Petitioner.

Mr. Kanwar Sanjiv Malik, AAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

Ld. Counsel appearing for the State submits in all fairness that FIR under Section 188 of the IPC could not have been drawn up accepting the Complaint of the concerned Officer, who had issued/promulgated the order for compulsory wearing of mask at the relevant time.

2. Submits further on instructions of H.C. Dharamvir Singh that it has been verified that the Petitioner at the relevant time was not suffering from any kind of communicable disease on account of which there was no occasion for him to expose any one else to the danger of contracting such disease on account of which, the offence under Section 269 of the IPC is also not made out.

3. In view of the aforesaid circumstances, this appears to be a fit case to quash the FIR No.0027 dated 11th April, 2020 registered under Sections 188, 269 of the IPC at Police Station Mansa Devi Complex, District Panchkula, which is accordingly quashed and Petition disposed off.

November 25, 2021

**(SUDIP AHLUWALIA)
JUDGE**

Dpr

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No