

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

(Heard through VC)

CRM-M-48003 of 2021 (O&M)
Date of Decision: November 16, 2021

Narotam Pal

...Petitioner

Versus

State of Punjab

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.K. Choudhary, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.137 dated 20.07.2021, registered under Sections 420, 406 of Indian Penal Code at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner herein would contend that the dispute arises out of the alleged transactions that have taken place between the petitioner and complainant-Major Singh. It is submitted that petitioner-Narotam Pal has already initiated proceedings under Section 138 of Negotiable Instruments Act against Major Singh, which are pending before the Illaqa Magistrate, Gurdaspur whereas, complainant-Major Singh has instituted a suit for permanent injunction against the petitioner herein,

which is pending before the Civil Judge (Junior Division), Gurdaspur. It is argued that, at best, it can be held to be a dispute arising out of the commercial transactions and Section 420 of IPC would not be applicable.

Notice of motion.

At this stage, Mr. A.S. Gill, Sr. DAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State and submits that the instant petition is premature as the contents of the FIR are being investigated.

Faced with this, counsel for the petitioner seeks permission to withdraw the instant petition at this stage, with the further permission to put all these documents before the Investigating Officer or the trial court, if the challan is presented.

Accordingly, the instant petition stands dismissed as withdrawn at this stage.

November 16, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No