

113

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

CRM-M-46459-2021 (O&M)
Date of decision : 17.11.2021

Paramjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mandeep Kaushik, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.239 dated 24.06.2021 registered under Section 295-A of the Indian Penal Code, 1860 at Police Station City Kharar, District SAS Nagar (Annexure P-1) and all the subsequent proceedings arising therefrom.

In the present case, report under Section 173 of Cr.P.C. has not been filed as yet.

In view of the same, learned counsel for the petitioner has submitted that at this stage, the petitioner would be satisfied, if the documents as submitted and the averments as made in the present petition are considered by the Investigating Officer before filing the report under

Section 173 of Cr.P.C. and also states that in case, report under Section 173 of Cr.P.C. is against the petitioner, then, the petitioner be granted liberty to approach this Court by way of filing the petition for quashing of FIR and the subsequent proceedings arising therefrom.

Keeping in view the above facts and circumstances and the submissions made by learned counsel for the petitioner, the present petition is disposed of with direction to the Investigating Officer to consider the documents as submitted and the averments as made in the present petition, before filing the report under Section 173 of Cr.P.C.

Liberty is also granted to the petitioner to file fresh petition under Section 482 of Cr.P.C. for quashing of FIR and the subsequent proceedings arising therefrom, in case report under Section 173 of Cr.P.C. is against the petitioner.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

17.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No