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

CRM-M-9008-2022

Date of decision : 11.03.2022

Vinod Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mohit Garg, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.9049 dated 24.12.2021 registered under Sections 135/151 of the Indian Electricity Supply Act, 2003 at Police Station I&P, PS Faridabad, District Faridabad.

Learned counsel for the State, at the outset, has pointed out that in the present case, report under Section 173 of Cr.P.C. has not been submitted as yet.

In view of the above fact, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition, at this stage, with liberty to the petitioner to file fresh petition after annexing all the documents attached with the present petition and all other reliable

documents, in case report under Section 173 of Cr.P.C. is against the petitioner.

Learned counsel for the petitioner has further made a prayer that before submitting report under Section 173 of Cr.P.C., Investigating Officer may kindly be directed to consider all the documents which have been annexed alongwith the present petition inasmuch as it is the case of the petitioner that the premises in question are neither owned nor possessed by the petitioner.

In view of the above, the present petition is dismissed as withdrawn at this stage with liberty to the petitioner to file fresh petition after annexing all the documents attached with the present petition and all other reliable documents, in case report under Section 173 of Cr.P.C. is against the petitioner.

Investigating Officer is also directed to consider all the documents which have been annexed alongwith the present petition and all other reliable documents before submitting its report under Section 173 of Cr.P.C..

It is made clear, that in case, the petitioner files a fresh petition if report under Section 173 of Cr.P.C. is against the petitioner, then the same would be considered independently, on its merit, in accordance with law.

11.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No