

**277 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-15369-2017
Date of Decision: 8th August, 2022**

Sukhwinder Singh Shergil

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Diwansh Khanna, Advocate for
Mr. Vaibhav Narang, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Raghav Soni, Advocate for
Mr. Vikas Gupta, Advocate for respondent No. 2.

AVNEESH JHINGAN , J.(Oral)

This petition was filed seeking quashing of FIR No.120 dated 07.10.2016, under Sections 420 and 506 of the Indian Penal Code, registered at Police Station Patti, District Tarn Taran.

The matter is pending since 2017. Notice of motion was issued on 16th August, 2017.

On 31.10.2018 the following order was passed :-

“Present petition has been filed praying for quashing of FIR No.120 dated 07.10.2016, under Sections 420 and 506 of the Indian Penal Code, registered at Police Station Patti, District Tarn Taran, which has been registered with the allegations of cheating and the amount involved is more than Rs.33 Lakhs.

Learned State Counsel, on instructions from ASI Santokh Singh, submits that investigation is still pending and the petitioner is not co-operating despite the fact that he was granted the concession of pre arrest bail and was directed to join the investigation as and when called by the Investigating Officer.

Let the affidavit of SSP, Tarn Taran be filed as to what action has been taken in the matter for conclusion of the investigation. In case, satisfactory reply is not received within two weeks, then SSP, Tarn Taran shall be present in person in the Court on the next date of hearing.”

Adjourned to 27.11.2018.

Thereafter, on 12.3.2020 the following order was passed :-

“Learned State counsel on instructions from ASI Ashok Kumar states that despite notice being sent to the petitioner repeatedly he has not joined the investigation and further he has shifted to some other address which he is not disclosing to the investigating agency.

Arguing counsel for the petitioner is not available. Proxy counsel is unable to give the necessary information.

Learned State counsel shall inform with regard to the status of investigation by the next date of hearing fixed as 20.4.2020.”

Learned State Counsel on instructions from ASI Salwinder Singh submits that petitioner has not joined the investigation and is not residing at the given address.

Request for adjournment is made on behalf of the learned counsel for the petitioner.

The petitioner has filed petition for quashing of the FIR and without any interim protection in this petition, he has been successfully delaying the investigation for six years. In the meantime, he has changed his address, has not co-operated in the investigation and thereafter did not join the investigation.

Considering the conduct of the petitioner, no case is made out for interference under Section 482 Cr.P.C. for quashing of the FIR.

Petition is dismissed.

**(AVNEESH JHINGAN)
JUDGE**

8th August
anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No