

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(136)

CRM-M-21464-2022

Date of Decision: 18.05.2022

Barun @ Varun Banga

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Sahil Soni, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 482 Cr.P.C praying for quashing of FIR No.92 dated 7.12.2021 registered under sections 354-A, 354-D, 506, 509 IPC and section 67 of Information Technology Act at Police Station, Patara, District Jalandhar Rural along with all the subsequent proceedings arising therefrom on the basis of compromise(Annexure P-2).

Learned counsel for the petitioner submits that parties have compromised the matter and prosecution of the petitioner is nothing but an abuse of the process of law.

Notice of motion.

On the asking of the Court, Mr. Rakeshinder Singh Sidhu, A.A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. S.S. Sidhu, Advocate accepts notice on behalf of respondents no.2 & 3.

Learned State counsel has submitted that the matter is under investigation and on completion of the same challan will be presented in the court.

Under these circumstances when the investigation is still pending, this Court does not think it proper to interfere in the same. The

Hon'ble Supreme Court in *Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra, 2021 Criminal Appeal No.330 of 2021 decided on 13.4.2021* has held that the criminal proceedings ought not to be scuttled at the initial stage and quashing of FIR should be an exception rather than an ordinary rule.

In view of the above discussion, present petition is disposed of with liberty to the petitioner to avail the alternate remedies as available to him in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

18.05.2022
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No