

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-24382-2022
Date of Decision: 06.09.2022

Atul Rajput Petitioner
Versus
State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Arnav Kumar, Advocate for the petitioner.
Mr. Rajat Gautam, D.A.G., Haryana.

ANOOP CHITKARA, J. (ORAL)

By way of this petition, petitioner seeks quashing of FIR No. 127 dated 16.02.2020 under Section 174-A IPC, 1860 registered at Police Station Mahesh Nagar, Ambala (Annexure P-4) along with all consequential proceedings as the continuation of the same would tantamount to a gross abuse of the process of law resulting in a grave miscarriage of justice.

Learned counsel for the petitioner submits that FIR No. 315 dated 05.09.2017 has already been registered under Section 174-A IPC for non-appearance before the trial Court as he was declared proclaimed person. After that on the same allegations another FIR No. 127 dated 16.02.2020 has been registered under Section 174-A IPC.

On the face of it, registration of the second FIR on the same set of allegations is violation of Article 20 (2) of the Constitution of India.

Given above, the present petition is allowed and FIR No. 127 dated 16.02.2020 is quashed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

06.09.2022
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No