

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-54530-2021

Date of decision : 05.01.2022

Gurwinder Kaur and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Chander Shekhar Singhal, Advocate
for the petitioners.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 482 Cr.P.C. praying for quashing of the FIR no.0244 dated 16.11.2021 registered under Sections 420, 120-B IPC at Police Station City Jagroan, District Ludhiana.

Faced with the fact that in the present case, a report under Section 173 Cr.P.C. has not been filed as yet and also in view of law laid down by the Hon'ble Supreme Court of India in ***“State of Karnataka and another vs. Pastor P. Raju”*** reported in ***(2006) 6 Supreme Court Cases 728*** , learned counsel for the petitioners seeks to withdraw the present petition and makes a prayer that all the documents, which have been annexed along with the present petition, be considered by the Investigating Officer before filing a report under Section 173 Cr.P.C. and in case the said report is presented against the petitioners, the petitioners be granted liberty to file fresh quashing petition.

In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn, at this stage, with a direction to the Investigating Officer to consider all the documents which have been annexed with the present petition before submitting the report under Section 173 Cr.P.C. and in case the report under Section 173 Cr.P.C. is against the petitioners, liberty is granted to the petitioners to file fresh petition for quashing of the FIR and all other subsequent proceedings arising therefrom.

(VIKAS BAHL)
JUDGE

January 05, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No