

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

CRM-M-56687-2022

Date of Decision: 08.12.2022

Balbir Singh

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. J.S.Toor, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

The instant petition has been filed on behalf of the petitioner seeking quashing of FIR No.32 dated 11.03.2022 registered at Police Station Khanna City-2, District Ludhiana, under Section 306 IPC.

Learned counsel for the petitioner, however, submitted at the very outset that since the matter is still under investigation, he may be permitted to withdraw the instant petition at this stage with liberty to file afresh.

In view of the aforesaid submission particularly the fact that the matter is still at the stage of investigation, the instant petition is hereby dismissed as withdrawn.

However, the investigating agency is directed to investigate the matter thoroughly. Since learned counsel for the petitioner has submitted that it is a case where the petitioner has been involved merely for having issued a threat to the deceased not to demand money from Guriqbal Singh, the investigating agency shall look into the said aspect and while filing final report under Section 173 Cr.P.C. shall

bear in mind the ratio of judgment delivered by Hon'ble Supreme Court in *Criminal Appeal No.233 of 2010* titled '*Ude Singh & others Vs. State of Haryana*' on 25.07.2019 as well as of judgment rendered by this Court in *CRM-M-34495-2021* titled '*Harbhajan Sandhu Vs. State of Punjab & another*' on 23.02.2022.

08.12.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**