

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

CRM-M-3873-2023

Date of decision : 14.09.2023

GURDEEP KUMAR AND ORS

....Petitioners

Versus

STATE OF PUNJAB AND ANR

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. N.S. Gill, Advocate for
Mr. Amit Kumar, Advocate for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Today State Counsel has filed short reply by way of affidavit of Karnail Singh, PPS, Deputy Superintendent of Police, Police District Khanna, District Ludhiana on behalf respondent No.1, in Court. The same is taken on record.

2. State Counsel further refers to the order dated 25th of January, 2023 whereby it was ordered as under :

“Learned counsel for the petitioners submits that he does not want to press quashing of the FIR No.0054, dated 12.03.2021, under Sections 451, 323, 427, 34 of IPC, 1860, registered at Police Station Khanna City-2 Khanna, District Ludhiana (Annexure P-1). In this regard, he has given the statement in the Court that:

“I do not press the prayer for quashing of FIR No.0054, dated 12.03.2021, under Sections 451, 323, 427, 34 of IPC, 1860, registered at Police Station Khanna City-2 Khanna, District Ludhiana (Annexure P-1). I only restricts his prayer that directions may be issued to the official respondents not to harass and call the petitioners again and

again to come to the police station on similar set of allegations which was already enquired by the Investigating Agencies”.

Learned counsel for the petitioners seeks directions only on the limited prayer that directions may be issued to the official respondents to not to harass and call the petitioners again and again to come to the police station on similar set of allegations which was already enquired by the Investigating Agencies.

Notice of motion to respondent No.1 at this stage.

At the asking of the Court, Mr. Jaiteshwar S. Bhandari, AAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him during the course of the day. He seeks some time to file reply.

To come up on 20.04.2023.

Reply, if any, be filed on or before the next date of hearing with advance copy to the counsel opposite.”

3. In view of the aforesaid fact since the relevant claim *qua* quashing of FIR has already been given up and the directions were sought to the official respondents not to harass and call the petitioners again and again on the same set of allegations, the said prayer made also stands infructuous in view of the fact that the challan already stands presented before the Trial Court. Resultantly, the present petition has been rendered infructuous.

4. In view of above, the petition is dismissed as having been rendered infructuous.

September 14, 2023

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No