

CRM-M-4869-2023

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

(136)

CRM-M-4869-2023.
Date of Decision:-17.04.2023.

Bijender @ Neetu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Pradeep Chhoker, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

Prayer in this petition is for quashing of the FIR No.576 dated 25.12.2021 (Annexure P-1) under Sections 323, 34, 354, 376, 377, 498-A (Sections 34, 354, 376, 377 deleted later on) of IPC and Section 3 of the SC/ST Act, 1989 (added later on), registered at Police Station Industrial Sector-29, Panipat, District Panipat and all consequential proceedings arising therefrom.

Learned counsel for the petitioner submits that the allegations levelled in the FIR and in the final report under Section 173 of Cr.P.C. do not attract the provisions of Section 3 of the SC/ST Act, 1989, which has been added later on.

After hearing the learned counsel for the petitioner at length, I do not find any merit in the present petition, as the contentions raised by the petitioner are a matter of trial and in case, the prosecution is not able to

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make out the same, the petitioner may get acquitted, in accordance with law.

The Hon'ble Supreme Court of India in the case of *Neeharika Infrastructure v. State of Maharashtra*, 2021 AIR (SCC) 1918, observed that power of quashing should be exercised sparingly with circumspection.

In light of the above, the present petition is dismissed.

(ALOK JAIN)
JUDGE

April 17, 2023.

Sandeep

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No