

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

Sr. No.114

CRM-M-14484-2023 (O&M)

Date of decision : 22.03.2023

Rakesh Aggarwal

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Shildesh Gutpa, Advocate, for the petitioner.

\*\*\*\*\*

**SUDHIR MITTAL, J. (Oral)**

The petitioner seeks quashing of FIR No.0141 dated 02.04.2022, registered at Police Station Sector-14, District Panchkula, under Sections 109, 183, 283, 290, 341 & 353 IPC.

Challan dated 06.07.2022 and order dated 20.09.2022, whereby, charges have been framed are also under challenge.

The submission made is that the registration of the FIR is *mala fide* and malicious. The same has been done to wreak vengeance against the petitioner. He and some others had made a complaint dated 08.10.2021 against the employees of the Municipal Corporation of having embezzled a sum of Rs.1 crore allocated by the State Government for cremation of persons who had died due to Covid-19 pandemic. Enquiry was conducted and certain officials were indicted and recovery notices have also been issued.

Whether, the registration of the FIR is malicious or not is a matter of evidence. Since, the police has presented a challan and found the allegations made to be true and the trial Court has also examined the same

evidence at the time of framing of charges and found it worthy of credence, it would not be appropriate for this Court to short circuit the trial.

In view of the above, quashing of the FIR is not feasible.

Faced with this situation, learned counsel for the petitioner wishes to withdraw this petition with liberty to take all pleas during the trial.

Dismissed as withdrawn with the aforementioned liberty.

22.03.2023  
Ramandeep Singh

(SUDHIR MITTAL)  
JUDGE

|                             |     |
|-----------------------------|-----|
| Whether speaking / reasoned | Yes |
| Whether Reportable          | No  |