

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

**CRM-M-28558-2021 (O&M)
Date of Decision: February 24, 2023**

Jung Bahadur

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Divay Sarup, Advocate for the petitioner.

Mr. Pareveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is to quash FIR No.680 dated 14.11.2018 (Annexure P-1), registered at Police Station Hisar Civil Lines, District Hisar, under Sections 506/34 IPC qua the petitioner.

2. As alleged in the FIR lodged by respondent No.2-complainant Lal Chand, civil litigation regarding a house is pending before the court as filed by Jung Bahadur (petitioner). However, petitioner Jung Bahadur and his family members are harassing him (complainant) by sending messages through WhatsApp, which are in unparliamentary language, abusive and calling names types. It was alleged that the WhatsApp messages are meant to aggravate and play mischief and so action be taken.

3. It is contended by the petitioner that civil suit is pending between the parties and in order to create pressure upon him, this false FIR has been lodged.

4. Notice of motion was issued. Though learned State counsel appeared on behalf of respondent No.1 and filed reply in the form of

CRM-M-28558-2021 (O&M)

affidavit of Ms. Bharti Dabas, Deputy Superintendent of Police, (CAW), Hisar, but despite service, respondent No.2-complainant did not appear.

5. Along with the reply of the respondent-State, translated version (Annexure R-1) of the messages allegedly sent by the petitioner to the complainant, is annexed. A bare perusal of the same would reveal that though the messages are written using unparliamentary defamatory language, but in no manner, any criminal intimidation within the meaning of Section 506 IPC is attracted. After reading the messages, learned State counsel concedes the said factual position that though unparliamentary language has been used but no statement amounting to criminal intimidation can be found therein so as to attract Section 506 IPC.

6. In view of the above, FIR No.680 dated 14.11.2018 (Annexure P-1), registered at Police Station Hisar Civil Lines, District Hisar, under Sections 506/34 IPC and the subsequent proceedings arising therefrom, qua the petitioner are quashed.

Petition is allowed accordingly.

February 24, 2023

sarita

(DEEPAK GUPTA)
JUDGE

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