

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

CRM-M-36543-2022

Date of decision : 03.02.2023

RAKESH KUMAR

... Petitioner(s)

Versus

THE STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sushil Bhardwaj, Advocate
for the petitioner(s).

Ms. Navreet Kaur Barnala, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the FIR No.153 dated 25.07.2022 registered under Sections 406 and 420 IPC at Police Station Dhand, District Kaithal along with all subsequent proceedings arising therefrom.

The learned State counsel while referring to the reply dated 07.10.2022 by way of an affidavit of Ravinder Sangwan, Deputy Superintendent of Police, Kaithal, which is already on record, contends that the petitioner has neither joined investigation nor sought the concession of bail. Since the investigation is pending, the present petition for the quashing of the FIR is not maintainable as a reading of the FIR and the investigation conducted till date would clearly reveal the commission of an offence. Even otherwise, disputed question of facts have been raised in the present petition which cannot be adjudicated upon in a petition under Section 482 Cr.P.C.. He further contends that the petitioner is involved in as many as 03 three other cases of similar nature.

In view of the above, I find no merit in the present petition.
Therefore, the same is hereby dismissed.

However, it would be open to the petitioner to file a fresh
petition for quashing on merits, if and when a report under Section 173
Cr.P.C. is submitted against him.

(JASJIT SINGH BEDI)
JUDGE

03.02.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No