

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45075-2023

Date of Decision: 28.11.2023

MOHAMMAD NAYEER

. . . . Petitioner

Vs.

STATE OF HARYANA AND ANOTHER

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Vijay Dahiya, Advocate, for the petitioner.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 CrPC is to quash FIR No.0001 dated 23.03.2023 registered at Police Station Cyber Sonipat, District Sonipat, under Sections 386, 419, 420, 467, 468, 471 & 506 IPC and the subsequent proceedings arising therefrom.

2. Contention of ld. counsel is that during investigation, petitioner had co-operated in the investigation and had narrated the true facts. In fact, petitioner is one of the victims and had made a representation dated 06.05.2023 by post to the SHO, Police Station Cyber, Sonipat, but without considering that representation, challan has been filed. It is further submitted that petitioner also filed a complaint case (Annexure P3) under Section 200 CrPC against the real culprits, before the Court of CMM (West), Tis Hazari Court, Delhi. Ld. counsel contends that trial Court has now framed the charges against the petitioner on 09.06.2023 without any evidence against him.

3. Concededly, after filing of the challan, charges have already been framed by the trial Court. It is also the conceded position that petitioner has already filed criminal complaint so as to put forth his stand.
4. In view of the aforesaid circumstances, there is no justification for quashing of the FIR. The present petition is hereby disposed of with liberty to the petitioner so as to take all the pleas as raised in this petition, at appropriate stage during the trial of the case.

28.11.2023

Vivek

1. Whether speaking/reasoned?
2. Whether reportable?

(DEEPAK GUPTA)
JUDGE

Yes
No