

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

CRM-M-47704-2023

Date of decision: 21.09.2023

TEK SHARAN SHARMA @ HARRY AND ANR.

....Petitioners.

Versus

STATE OF PUNJAB AND ANOTHER

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. R.S. Bains, Sr. Advocate with
Ms. Amar Jeet, Advocate, for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J.(ORAL)

The present petition under Section 482 Cr.P.C. has been preferred seeking quashing of FIR No. 61 dated 17.07.2023 (Annexure P-1/T) under Sections 323, 341, 34 of IPC and Section 326 of IPC added later on vide G.D. No.10 dated 10.08.2023 (Annexure P-2/T), registered at P.S. Sadar Kapurthala, District Kapurthala and all consequential proceedings arising out of the said FIR.

2. It is, *inter alia*, contended by learned counsel for the petitioners that the aforesaid FIR was registered against the petitioners at the instance of respondent No.2. Learned counsel for the petitioner further contends that as per the allegations, there are allegedly three injured in the occurrence namely Harjinder Singh, Charan Kaur and Paramjit Kaur, who claimed

to have sustained injuries in the occurrence, allegedly taking place around 1.00 P.M. on 14.07.2023. Learned counsel for the petitioner has referred to the medico-legal reports of the aforesaid injured to contend that both Charan Kaur as well as Paramjit Kaur were examined on 14.07.2023 at 2.20 P.M. and were stated to have been brought to Civil Hospital, Kapurthala, by their relative Harjinder Singh. Learned counsel for the petitioner further submits that the said Harjinder Singh never got himself examined at that time and later at 08.45 P.M. on the same day, he had got himself medically examined wherein the duration of injury is mentioned as '*recent*' and one incised wound on the left ring finger is noticed. On the strength of this fact, he contends that the injury on the person of Harjinder Singh had not occurred during the alleged occurrence because if it had been so, he would have examined himself also while taking Charan Kaur and Paramjit Kaur to the hospital. Learned counsel for the petitioner further submits that for the purpose of this petition, the petitioner will be satisfied if directions are issued to The Senior Superintendent of Police, Kapurthala, to consider and dispose of the representation (Annexure P-6) in accordance with law in an expeditious manner.

3. Learned Senior Counsel submits that the petitioners intends to file a representation to the Senior Superintendent of Police, Kapurthala, within seven days from today to dispose of the petition in accordance with law in an expeditious manner.

4. Considering the limited prayer made by learned Senior counsel for the petitioners, the present petition is, hereby, disposed of with direction to The Senior Superintendent of Police, Kapurthala, to consider and dispose of the representation so moved by the petitioner expeditiously in accordance with law and take action thereon, if so, warranted. The decision so taken conveyed to the petitioner.

5. Disposed of.

(SANJIV BERRY)
JUDGE

21.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |