

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

(105)

CRM-M-48202-2023

Date of decision: - 22.09.2023

Vinay Sharma**....Petitioner****Versus****State of Punjab and another****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. P.S. Ahluwalia, Advocate
and Mr. Shantanu Bansal, Advocate
for the petitioner.

Mr. Arjun Sheoran, DAG, Punjab
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Section 482 of Cr.P.C. for quashing of FIR No.16 dated 09.06.2023 (Annexure P-1), registered under Section 66 of the Information Technology Act, 2000 and Section 500 of IPC, at Police Station Punjab State Cyber Crime Police Station, SAS Nagar, District Crime Wing along with all consequential proceedings emanating therefrom.

2. Learned counsel appearing for respondent No.1-State, on instructions from Inspector Daljit Singh, has submitted that in the present case, the investigation is going on and at this stage, the petitioner has not been nominated as an accused and has, thus, submitted that at this stage, the present petition is not maintainable.

3. Learned counsel for the petitioner has submitted that in view of the statement made by learned State counsel, the present petition be disposed of, at this stage, as not pressed, but the respondent-State would be bound by the said statement. It is further prayed that however liberty be granted to the petitioner to file a fresh petition in case any cause of action survives/arises in future.

4. In view of the stand taken by the learned State counsel, the present petition is disposed of, at this stage, as not pressed. However, liberty, as prayed for by learned counsel for the petitioner, is granted to the petitioner to file a fresh petition in case any cause survives/arises in future.

5. It is made clear that in case any such petition is filed by the petitioner, the same would be considered independently on its merit.

6. Respondent-State would be bound by the statement made before this Court.

September 22, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No