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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22640-2023

Date of Decision:20.10.2023

KUNAL JAIN

..... Petitioner

Versus

UNION OF INDIA AND ORS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Reshabh Bajaj, Advocate
for the petitioner.

Ms. Shweta Nahata, Central Govt. Counsel
for the respondents-UOI.

Mr. Raman Sharma, Addl. AG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of letter dated 21.09.2023 (Annexure P-4) issued by the respondent No.2.

2. Learned counsel for the petitioner *inter alia* contends that an FIR No.462 dated 26.05.2016 under Sections 420, 409, 34 and 120B of IPC was registered against the petitioner. The petitioner has preferred CRM-M-20252-2016 before this Court seeking quashing of FIR. This Court has issued notice of motion and further directed not to take coercive steps against the petitioner. The police till date has not filed its report under Section 173 Cr.P.C, thus, case of the petitioner is squarely covered by judgment of this Court in ***Mohan Lal @ Mohna vs. Union of India and others 2023 SCC Online P&H 1391***. The petitioner is not required to get permission from the Trial Court.

3.

Learned State counsel does not dispute the fact that this Court vide order dated 03.06.2016 has directed the police not to take coercive method and police till date has not filed its report under Section 173 Cr.P.C. against the petitioner.
4.

Faced with this, learned counsel for the respondents- UOI submits that the application of the petitioner would be disposed of within 6 weeks from today, considering judgment of this Court in *Mohan Lal @ Mohna* (supra) and applicable instructions.
5.

In the wake of statements of both sides, the petition stands disposed of.

(JAGMOHAN BANSAL)

JUDGE

20.10.2023

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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>