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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 13436 of 2015
Date of Decision: 28.02.2024

Om Parkash and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Salil Bali, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Aditya Yadav, Advocate for respondents No. 5 to 7.

HARPREET SINGH BRAR, J.(ORAL)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 23 dated 13.01.2015 registered under Sections 283, 279 and 304 A of Indian Penal Code, 1860 at Police Station Jhajjar, District Jhajjar against petitioner No. 3 and for quashing the entire allegations so mentioned in the abovesaid FIR.
2. Learned counsel for the petitioners *inter alia* contends that the respondent No. 5 is in fact responsible for the death of the sons of the petitioners No. 1 and 2 as he was driving his car in a rash and negligent manner and due to his negligence, the car driven by respondent No. 5 hit the car driven by the sons of the petitioners No. 1 and 2 which resulted into their death in the accident.
3. Learned counsel for the petitioners further contends that the investigation of the case has not been conducted by the concerned

the petitioners in the present petition has not been controverted by the respondents No. 1 to 4-State of Haryana. In reply filed by the respondents No. 1 to 4-State of Haryana, petitioner No. 3 is the eye-witness who has been made accused in the FIR (supra).

4. On the other hand, learned State counsel assisted by learned counsel for the complainant submit that the present petition has been filed only in order to create defence in favour of petitioner No. 3 and the deceased persons-Amit and Rakesh had checked history and they were earlier involved in criminal activity which prove the allegations contained in the FIR as after getting the petrol filled in their vehicle, they fled away from the spot after attacking the salesman with knife and with regard to this incident, the FIR was registered against them and the respondent No. 5 was investigating the FIR registered against Amit and Rakesh.

5. As such, this petition is abuse of the process of law and has been filed just to create pressure on the Investigating Officer not to depose against the petitioner No. 3 and also to put pressure on the salesman and owner of the petrol pump (respondents No. 6 and 7).

6. Having heard the learned counsel for the parties and after perusing the record of the case, this Court finds no merit in the arguments advanced by learned counsel for the petitioners which warrants any interference by this Court.

7. Consequently, the present petition is hereby dismissed.

28.02.2024

(HARPREET SINGH BRAR)

Rajeev (rvs)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No