

CRM-M-13856-2024

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

(119)

CRM-M-13856-2024
Date of Decision:-24.04.2024

Irfan Khan

.....Petitioner

Versus

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Salman Ahmedgh, Advocate for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition is for quashing of the impugned order dated 19.07.2023 (Annexure P-2) passed by JMFC, Gurugram whereby the petitioner has been declared proclaimed offender in case FIR No.126 dated 01.07.2020 under Sections 420, 467, 468, 471, 120-B of IPC and 66-D IT Act, registered at Police Station Cyber Crime, District Gurugram (Annexure P-1) and consequential proceedings in the shape of impugned FIR No.1884 dated 05.08.2023, under Section 174-A of IPC, registered at Police Station Shivaji Nagar, District Gurugram, Haryana.

2. Learned State counsel has filed affidavit of Inspector Savit

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Kumar, Station House Office, P.S. Cyber East, Gurugram on behalf of State, which is taken on record.

3. As per the response, action taken by the authorities demonstrates that the Investigating Officer did not conduct a single raid despite the dismissal of the anticipatory bail by this Court. However, learned State counsel has submitted that lenient view be taken against the Investigating Officer and he be let off after issuance of a word of caution to him.

4. In light of the response submitted by the State and considering the fact that the parties have compromised and got their statements recorded and by virtue of the order dated 18.03.2024 passed by this Court whereby the order dated 19.07.2023 against the petitioner was stayed, the present petition is allowed and the impugned order dated 19.07.2023 (Annexure P-2) is set aside.

(ALOK JAIN)
JUDGE

April 24, 2024.

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Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No