

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16924-2024 (O&M)

Date of Decision: 16.04.2024

Mohit

... Petitioner

VS.

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Sukesh Kumar Jindal, Advocate for the petitioner

Mr. BS Virk, Sr.DAG Haryana

Sandeep Moudgil, J.

- (1). This petition under Sections 482 CrPC has been filed by the petitioners seeking quashing of the FIR No.203 dated 26.04.2019 under Sections 406/420/506/34 IPC registered at Police Station Gohana City (Annexure P1) and all consequential proceedings arising therefrom.
- (2). Learned counsel for the petitioner submits that in the entire FIR, there is allegation only against Om Parkash and Sumit and that nothing has been attributed against the petitioner. He further submits that in the charge-sheet also, there is no documentary evidence or statement of the witnesses to connect the petitioner with the alleged overt act.
- (3). It is averred that the present petitioner was working as a teacher in the coaching center run by the accused No.3 namely Manoj Kaushik, who in conspiracy with the accused No. 1 and accused No. 2 cheated the complainant and other victim and even the accused No. 3 has not stated in his statement under Section 161 CrPC that the present petitioner was also part of the conspiracy.

(4). On the other hand, learned State counsel submits that the challan in the present case has been filed and since the petitioner was hand in glove with the Om Parkash and Sumit in duping the complainant, it would not be appropriate to quash the FIR at this stage and if at all, the petitioner can prove his innocence before the trial court by leading evidence.

(5). Heard learned counsel for the parties and gone through the record.

(6). The only argument raised by the petitioner for seeking quashing of instant FIR is that he was nominated on the basis of disclosure statement and no other incriminating material is coming forth against him but since the investigation is stated to be complete and challan stands already filed and now at this stage moving of the instant petition for quashing of FIR not only suffers from inordinate delay but lacks merit as it cannot be a ground for quashing of the same.

(7). Dismissed.

16.04.2024
V.Vishal

(Sandeep Moudgil)
Judge

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No