

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-5161-2024 in/and
CRM-M-33537-2018 (O&M)
Date of Decision:-15.04.2024

Ishwar Singh Malik and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.S.Mamrat, Advocate for
Mr. Shekhar Verma, Advocate, for the petitioners.

Mr. Munish Sharma, DAG, Haryana.

Mr. Kamal Kant, Advocate, for respondent No.2
(appeared through video confrencing).

GURVINDER SINGH GILL, J.(Oral)

CRM-5161-2024

The instant application has been filed seeking fixing of an actual date in the main case for its final disposal.

Learned counsel submits that many of the petitioners are in their advanced age and are in their 70s and that since the FIR was lodged way back in the year 2014, it will be in the interest of justice that the matter be listed for final hearing.

In view of the submissions made above, the instant application is accepted and the main case is taken on Board today itself for final hearing.

CRM-M-33537-2018 (O&M)

1. The petitioner has approached this Court seeking quashing of FIR No.261, dated 03.06.2014, Police Station Butana, District Karnal, under Sections 406, 420, 467, 468, 471, 120-B IPC (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of compromise having been effected between the parties.
2. Upon perusal of the FIR, this Court finds that it is a case where the allegations are that the accused had sold off the land which vested in State.
3. Learned counsel submits that as a matter of fact State is not the aggrieved party and the FIR in question has been lodged by a private person i.e. Kulwant Singh who does not have any objection for quashing of the FIR.
4. Learned counsel representing the complainant has been associated through video conferencing and has stated that he has no objection for quashing of the FIR.
5. On the other hand, learned State counsel has vehemently opposed the petition and has submitted that since it is a case where several Government officials had apparently connived with the accused so as to squander away the property of the State, no case for quashing of FIR on the basis of compromise is made out as the property of State is involved.
6. In view of the aforesaid submission, this Court finds that since the interest of State is involved and State has not compromised the matter and rather

learned State counsel is vehemently opposing the petition, no ground for quashing the FIR is made out.

7. The petition, as such, is sans merit and is disposed of with a direction to the trial Court concerned to take all necessary steps as may be possible for expeditious disposal of the trial.

15.04.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No