IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

116 CRM-M-19911-2024

Date of Decision: 23.04.2024

Jaswant Singh

…. Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Abhinav Sood, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in this instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 0109 dated 17.09.2023 (Annexure P-1) registered under Sections 323, 341, 406, 498-A and 34 IPC at Police Station Phase 11, SAS Ngar and all subsequent proceedings arising therefrom**, on merits.**

On instructions from ASI Balraj Singh, learned counsel for the State informs that challan in the present case has not been presented, as investigation has not yet been completed.

Learned counsel for the petitioner vociferously argued that petitioner in the present case is 64 years old senior citizen and father-in-law of complainant/respondent No. 2 herein. It is submitted there are no allegations against the petitioner. Learned counsel has relied upon judgments in ***(i) Kahkashan Kausar @ Sonam and others Vs. State of Bihar and others, Law Finder Doc Id # 1941423; (ii) Mahinder Kaur vs. State of Punjab and another, Law Finder Doc ID # 2525987;*** and

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(iii) Dolly vs. State of Haryana and another, Law Finder Doc Id # 25443325, to submit that in similar circumstances FIR can be quashed on merits.

At this stage, reference may be made to the judgments of Hon'ble the Supreme Court in ***State of Tamil Nadu vs. S. Martin Etc., Law Finder Doc ID # 993604; State of Andhra Pradesh vs. Goloconda Linga Swamy and another, Law Finder Doc ID # 73686;*** and judgment of Delhi High Court in ***Manoj Kumar Rana vs. State, Govt. of NCT Delhi, Law Finder Doc Id# 409295,*** wherein in similar circumstances, the Hon'ble Courts had declined the prayer to quash the FIR as investigation was not yet concluded.

After arguing for some time, when this Court is not inclined to interfere in the matter, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition, at this stage.

Permitted to do so.

Dismissed as withdrawn, at this stage.

23.04.2024 **(NIDHI GUPTA)**
rishu **JUDGE**

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No

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