

115
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20188-2024 (O&M)
Date of decision: 24.04.2024

Jashan and another
... Petitioners

Vs.

State of Punjab and another
... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Narinder S. Lucky, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of DDR No.20 dated 02.11.2023 under Sections 323, 354, 506, 34 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Shahkot, District Jalandhar, in FIR No.50 dated 27.03.2023 under Sections 323, 452, 427, 354, 148, 149 of IPC, registered at Police Station Shahkot, District Jalandhar and all the subsequent proceedings emanating thereupon.
2. Learned counsel for the petitioners, *inter alia*, contends that initially, FIR (*supra*) was registered at the instance of mother of the

petitioners on the allegations that respondent No.2, Sahil, Kanto, Lavi, Jaskaran @ Jassa, Sonu along with three unknown persons forcibly entered their house by breaking the main door and gave injuries to the petitioners as well as their parents. As a counter-blast to the same, respondent No.2 lodged a cross-case vide DDR (*supra*) and under the political pressure, the petitioners and their family members were implicated by the police. Even there is no explanation in lodging the cross-version/DDR (*supra*). Learned counsel for the petitioners submits that the petitioners would be satisfied in case all the documents, which are annexed with the present petition, are considered by the Investigating Officer before submitting the final report under Section 173 Cr.P.C.

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 173 Cr.P.C.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself.

6. Keeping in view the aforesaid facts and circumstances, present

petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 173 of Cr.P.C.

7. It is clarified that in case, final report under Section 173 of Cr.P.C. is against the petitioners, they would be at liberty to file a fresh petition to challenge the DDR (*supra*) as well as the final report under Section 173 Cr.P.C.

24.04.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

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