



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

CRM-M-24669-2024

Date of Decision : 16.05.2024

PUNEET KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pankaj Maini, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. The present petition has been filed seeking quashing of FIR No.2, dated 11.01.2017, under Sections 406, 420 and 494 of the IPC, registered at Police Station Women, District Jalandhar, (Annexure P-2), on the ground that prior to the instant FIR, a compromise was effected with respondent no.3/complainant, and after taking undue benefit of the compromise the complainant in order to extort more money, filed the instant FIR.

2. The instant FIR was registered way back in the year 2017 and the final report was also filed in the year 2019. Thereupon, much water has flown as the matter is fixed for recording prosecution evidence. Therefore, this Court cannot entertain the plea which has been raised before this Court, which is purely a disputed question of facts.

3. Consequently, this Court refrains itself to interfere in the instant petition. However, liberty is granted to the petitioner to raise all the pleas, before the learned trial Court concerned, at an appropriate stage of the trial.

4. **Dismissed with the aforesaid liberty.**

5. At this stage, learned counsel for the petitioner submits that petitioner is working as a driver in Punjab Irrigation Department, and is now posted at Chandigarh, and since he has to perform his daily official duty, it would be difficult for him to commute on each and every date, to attend the proceedings before the learned trial Court concerned. Therefore, learned counsel for the petitioner requests for a permanent exemption from appearing before the learned trial Court concerned.

6. The aforesaid prayer of the petitioner, cannot be acceded to at this stage, as there is no such application in this regard filed before this Court, rather, the petitioner could have filed such application before the learned trial Court concerned.

7. In absence of the any appropriate application, the asked for relief cannot be granted. However, in case the petitioner files such application before the learned trial Court concerned, the latter shall, after considering the nitty-gritty and circumstances, decide such application, on its own merits, if so filed.

May 16, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No