

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-26212-2023 (O&M)

Date of order: 09.02.2024

Parveen Kumar & Others

.....Petitioner(s)

Vs.

State of Haryana & Another

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Dinesh Maurya, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

Nidhi Gupta, J.

Present petition under Section 482 Cr.P.C. is filed seeking quashing of FIR No.448 dated 25.09.2018 under Sections 148, 149, 323, 34, 341, 354, 379, 427 and 506 IPC registered at Police Station Butana, District Karnal (Annexure P2) with all consequential proceedings.

2. Learned counsel for the petitioners contends that the date of alleged incident is 27.4.2018. However, present FIR has been registered by the respondent no. 2 against the petitioners after unexplained delay of almost 5 months on 25.9.2018. It is submitted that accordingly the present FIR deserves to be quashed.

3. No other argument is raised on behalf of the petitioner.

4. I have heard learned counsel for the petitioner.

5. Perusal of the record of the case shows that due to a dispute between the petitioners and respondent No.2, the petitioners had

first registered an FIR No.178 dated 29.04.2018 under Sections 323, 34, 341 and 506 IPC (Section 325 IPC added later on) at Police Station Butana, District Karnal (Annexure P1) against respondent No.2 and certain others. After investigation, report under Section 173 Cr.P.C. was filed on 30.06.2018. Thereafter, the respondent No.2 had filed a complaint dated 12.09.2018 before the learned Illaqa Magistrate which was forwarded to the Police Station under Section 156(3) Cr.P.C.; and it is in pursuance to the report/cognizance taken by the Illaqa Magistrate u/s 156(3) Cr.P.C. that the present FIR No.448 dated 25.09.2018 has been registered.

6. In view of the above, I find no merit in the present petition; and the same is accordingly, **dismissed**.

09.02.2024
Sunena

(Nidhi Gupta)
Judge

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