



307

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

CRM-M-33163-2023 (O&M)
Date of Decision:- 09.12.2024

KASHIF BHANDARI

....Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Hitesh Verma, Advocate for the petitioner.

Mr. Gautam Thapar, AAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner Kashif Bhandari has filed petition under Section 482 Cr.P.C. for quashing of FIR No.40 (Annexure P-1) dated 25.02.2023, under Sections 307, 379-B, 341, 324, 323, 506, 427, 148 and 149 IPC registered at Police Station Kotwali Patiala, District Patiala and all subsequent proceedings arisen therefrom.

2. Learned counsel for the petitioner argued that during investigation, petitioner was found innocent as a result, Investigating Agency filed application under Section 169 Cr.P.C. (Annexure P-2) for his discharge and statement of respondent No.2 was recorded by learned Chief Judicial Magistrate, Patiala (Annexure P-3) and vide order dated 17.03.2023 (Annexure P-4) he was discharged from custody but not from this case. Present petitioner had no involvement in the said occurrence,

therefore, present FIR and subsequent proceedings may be quashed qua him.

3. Status report has been filed along with copy of challan report under Section 173 Cr.P.C. Aforesaid factual position is confirmed in the status report. It is pointed out that present petitioner was arrested on 28.02.2023 but he was declared innocent after inquiry conducted by SHO Kotwali and application for his discharge was filed before learned Chief Judicial Magistrate, Patiala. Now challan has been presented and he is kept in column No.2 being innocent.

4. I have considered the aforesaid factual position. As referred above, petitioner was declared innocent and accordingly he was discharged by filing application before learned Chief Judicial Magistrate. Copy of order dated 17.03.2023 passed by learned Chief Judicial Magistrate, Patiala is Annexure P-4. Even at present in the challan report, he is kept in column No.2 being innocent. Therefore, no further direction is required for quashing of FIR No. 40 dated 25.02.2023, under Sections 307, 379-B, 341, 324, 323, 506, 427, 148 and 149 IPC registered at Police Station Kotwali Patiala, District Patiala and all subsequent proceedings arisen therefrom qua present petitioner as no action is being initiated against him. Therefore, present petition is accordingly disposed of being rendered infructuous.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

09.12.2024
snd

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