



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

CRM-M-52189-2024
Date of Decision: 04.12.2024

PARMESH ARORA AND ANOTHERPETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHERRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Umesh Aggarwal, Advocate
for the Petitioners.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J

1. The petitioners, in this petition filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023, pray for quashing/setting aside of FIR No.73 dated 07.05.2022, Annexure P-1, under Section 306 of the Indian Penal Code, 1860, registered at Police Station Gharinda, Amritsar and also pray for the stay of presentation of challan during the pendency of the present petition before this Court.
2. It is argued on behalf of the petitioners that the allegations against the petitioners in the FIR are false and baseless because the ingredients of Abetment as contemplated under Section 107 read with Section 306 IPC are missing. The allegations in the FIR are that the petitioners and co-accused



from whom the deceased had borrowed money caused harassment to the deceased due to which he committed suicide and named the petitioners also alongwith others as accused. However, the petitioners were victim at the hands of the deceased but still have been implicated falsely in this case by the deceased.

3. Vide order dated 21.10.2024, the matter was adjourned to today i.e. 04.12.2024 as the learned counsel for the State had informed this Court that after granting anticipatory bail vide order dated 03.10.2023, petitioner no.1 had not joined investigation.

4. Meanwhile, the petitioner no.1 moved CRM-45475-2024 seeking permission of this Court to join the investigation, in compliance of order dated 03.10.2023, which was dismissed, vide order dated 22.11.2024, with exemplary cost of Rs.25000/- to be deposited with the Punjab and Haryana High Court Employees' Association.

5. The file of main case has been listed today in accordance with the order dated 21.10.2024 before this Court.

6. It is informed by the learned State Counsel that there is no change in the circumstances nor could the learned counsel controvert the same.

7. In view of the above situation, looking at the obstinate conduct of the petitioner no.1 this Court imposes a cost of Rs.50,000/- to be deposited by the petitioner no.1 with the Punjab and Haryana Bar Association, Punjab & Haryana High Court, Chandigarh, within a month from today, which will be excluding the earlier cost of Rs.25,000/- already imposed by this Court, vide order dated 22.11.2024.



8. Further, without delving into the disputed question of fact which is to be decided by the trial court, this court dismiss the present petition qua both the petitioners.

04.12.2024
anuradha(v)

(SANDEEP MOUDGIL)
JUDGE

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