



CRM-M-53292-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(136)

CRM-M-53292-2024
Date of Decision : 24.10.2024

Naresh Kumar Srivastav ...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kunal Dawar, Advocate and
Mr. Rohit Rana, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, as instituted under Section 482 of Cr.P.C., the petitioner craves for quashing of the FIR No.238 dated 04.10.2022 (Annexure P-1), under Sections 288, 304-II and 34 of the IPC, 1860, registered at Police Station Udyog Vihar, District Gurugram, Haryana, along with all the consequential proceedings arising therefrom, including challan dated 15.11.2022, under Sections 288, 304-A, 338 and 34 of the IPC, 1860 (Annexure P-2), qua the petitioner.

2. Learned counsel for the petitioner, while referring to the statement recorded under Section 161 Cr.P.C., submits that there is no incriminating evidence against the present petitioner, collected by the prosecution during the investigation, requiring the petitioner to face a trial in the FIR (supra). He further submits that the building collapsed because of the heavy rain, and this fact, is recorded in the statement, as recorded under

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Section 161 Cr.P.C., and it is further stated by the learned counsel for the petitioner, that charges are yet to be framed, in the instant matter.

3. In view of the above, this Court deems it apt, at this stage, to relegate the petitioner, before the learned trial Court concerned, with liberty to raise all such pleas, which are raised before this Court, before the learned trial Court, concerned, at the time of framing of the charges.

4. **Disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

October 24, 2024
Manpreet

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