

CRM-M-2761-2025

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

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Decided on: 27.01.2025

Geeta ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Siddarth, Advocate
for the petitioner.

Mr. Harpreet Kaur, AAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
319	11.08.2024	Taraori, District Karnal	3(5), 308(5), 351(2), 111(3) and 61 of BNS 2023

1. Seeking quashing of above captioned FIR, petitioner who is one of the accused, had come up before this Court by filing the present petition under Section 528 BNSS.
2. I have heard counsel for the petitioner to ascertain that whether the petition is worth issuing notice or not. I have also gone through the bail petition and its analysis would lead to the following outcome.
3. Translated copy of the FIR has been annexed with the petition as Annexure P-1, which reads as under:-

“Contents of the application are as under: To The SHO Saheb, Police Station Taraori. Sir, the request is that I am Arvind Kumar son of Devraj, resident of Laxmi Colony, Taraori, I have small property business, on date 4/8/24 I received a WHATSAPP CALL on my phone no.90340xxxxx, mobile no.3519697xxxxx at 2:21 in which a person introduced himself as Bhanu Rana and asked me to give him Rs.50 lakh protection money (ransom) within 2 days otherwise I will get you and your family shot dead. I tried to dissuade him but he again threatened to get me and my family killed. Since that day I am continuously receiving calls on my number from



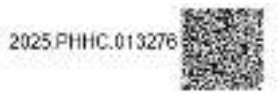
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the same number and Bhanu Rana is talking about killing me and asking me to give him ransom money. I answered his call. I have made the recording from another phone and have attached that recording with this application, and Sir, I suspect that two persons named Rajinder RANA (99961xxxxx) and his son Abhay Rana are also involved in this heinous matter because one and a half months ago I saw Abhay Rana roaming around my office in a suspicious condition and I have also attached the footage of some other persons around my house which is recorded by my house CAMERA and I have also attached that with my application and Rajinder Rana and Abhay Rana, father and son, had threatened me regarding an earlier deal that they would see me. You are requested to take the strictest action on my application. SD ARVIND KUMAR, Applicant Arvind Kumar, Mob. No.90340xxxxx, At Police Station: At present it is entered that I, S.I. Kailash Chand am present in the police station when a written application was produced by Arvind Kumar son of Devraj, resident of Laxmi Colony Taraori after coming present in the police station. From the contents of the application, finding commission of offence under Sections 308(5), 3(5), 351(2) BNS, after registering FIR No.319 dated 11.08.2024, under Sections 308(5), 3(5), 351(2) BNS in Police Station Taraori, after taking police file alongwith original application in my custody, I proceed to start further investigation and special report of the present case is being sent through Email to the concerned officers.”

4. A perusal of the FIR clearly points out that it was registered based on the complaint made by one Arvind Kumar. In the memo of parties Arvind Kumar has not been arraigned as respondent. It means petitioner wants the FIR to be quashed at the back of the complainant without even giving him opportunity to oppose.

5. Given above, present petition is defective and is not worth issuing notice. Although perusal of the affidavit filed in support of the petition, respondent(s) are mentioned “State of Haryana and others”, but in the memo of parties and the grounds of the petition complainant has not been arraigned as party and there is only one respondent i.e. State of Hayana.

6. Given above, present petition is defective and on this ground alone, no notice is required to be issued and the same is dismissed accordingly, with liberty to file a fresh after clearly mentioning status of the investigation and in case investigation is complete and police report has been filed under Section 193 BNSS 2023, then a copy of the same



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be also annexed and with these conditions liberty is granted. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

27.01.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No