



119

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11080-2025(O&M)

Date of Decision: 04.07.2025

Ashu Nagpal

....Petitioner(s)

Versus

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Aakash Juneja, Advocate, for the petitioner.
(Through Video Conferencing).

Mr. Surinder Kumar Dagar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The petitioner namely, Ashu Nagpal has filed two petitions. The first petition i.e. *CRM-M-34897-2022* was filed by the petitioner for quashing of FIR No.39 dated 21.01.2022, under Sections 498-A, 323, 406 and 34 IPC, registered at Police Station Arya Nagar, Rohtak on merits in which notice was issued on 20.02.2023 and the same is pending before this Court. However, an application i.e. *CRM-2386-2025* dated 20.01.2023 was filed by the petitioner in the aforesaid case seeking withdrawal of the main petition since a compromise has been effected between the parties and a prayer was made in the application that the application be allowed for withdrawal with a liberty to file a fresh case on the basis of compromise. The aforesaid application is still pending before this Court and no order has been passed for withdrawal of the petition nor any liberty was granted and even notice has not been issued in that application.



2. The second petition i.e. *CRM-M-11080-2025* was filed by the petitioner again for quashing of same FIR based upon compromise and this petition was filed on 07.02.2025 i.e. after the application for withdrawal was filed in the earlier case in which neither any notice was issued nor any liberty was granted but the same is still pending till date and in this way, the second petition was filed during the pendency of the earlier petition and although a prayer was made for withdrawal of the earlier petition with a liberty to file a fresh case but without waiting for the same, the second petition has been filed.

3. Learned counsel appearing on behalf of the petitioner through video conferencing submitted that he was asked by the petitioner himself to file a second petition without withdrawing the earlier petition. The petitioner namely, Ashu Nagpal is also present in the Court physically and a query was raised to him as to whether he had told the counsel to file a second petition without withdrawing the earlier petition to which he stated that he had only asked the counsel to withdraw the earlier petition but he is not aware whether a parallel petition was filed or not.

4. In view of the aforesaid facts and circumstances, it is clear that the second petition which has been filed i.e. *CRM-M-11080-2025* is not maintainable because of the pendency of the earlier petition.

5. Since the present petition was ordered to be heard alongwith *CRM-M-34897-2022* vide order dated 27.03.2025, the same is segregated from the aforesaid case.

6. In view of the above, the present petition is dismissed. However, at any stage, if the first petition i.e. *CRM-M-34897-2022* is

dismissed as withdrawn and any such order is passed, then the petitioner shall be at liberty to file a fresh petition seeking quashing of the FIR based upon compromise.

04.07.2025

rakesh

Whether speaking

Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

:

:

Yes/No

Yes/No