



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

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CWP-34740-2024

Date of Decision : **January 08, 2025**

KHOOSHBOO GUPTA

.....Petitioner

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Lavanya Paul, Advocate for the petitioner.
Ms. Svaneel Jaswal, Addl. AG, Haryana.
Ms. Saigeta Srivastava, Senior Panel Counsel
for respondent No.5/UOI.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, case under Article 226 of the Constitution of India, prayer is made for issuance of writ in the nature of Certiorari for quashing of undated look out circular (Annexure P-12) in case FIR No.280 dated 1.5.2022, under Sections 406 and 420 of IPC, added lateron 120-B, 467, 468 and 471 of IPC and under Section 3 of the Haryana Protection of Depositors in Financial Establishment Act, 2013, registered at Police Station Ambala Cantt., District Ambala.

2. Learned counsel for the petitioner would submit that the FIR (supra) has already been quashed *qua* some of the other accused persons on the strength of the compromise, by this Court in exercising inherent powers, as envisaged under Section 482 Cr.P.C., vide order dated 29.3.2023 (Annexure P-4). She further submits that though the petitioner was not a party in that proceedings, however, the agreement Annexure P-5, which is an affidavit sworn

by the complainant, whereby the complainant has extended 'no objection' and also effected the compromise with all the persons concerned.

3. This Court has put a specific query to the learned counsel for the petitioner as to whether from the time of registration of the FIR (supra), the petitioner has taken any other recourse, like approaching the learned trial Court concerned for seeking anticipatory bail, to which she answered in negative, whereas, she submitted that the petitioner has appeared before the Superintendent of Police concerned, but till date the look out circular has not been withdrawn.

4. This Court is of the view that the basic intent and object of the look out circular is to subject the accused persons to the lawfully authority, so as the investigation can be concluded. Therefore, the petitioner instead of challenging the look out circular, should have approached the learned trial Court concerned, seeking the relief of either anticipatory bail, or should have make an application for surrendering before the learned Magistrate concerned especially when the matter has already been compromised with the complainant concerned.

5. In view of the above, this Court at this stage is not inclined to grant the asked for relief, therefore, the instant petition is **disposed** of, however, with liberty to the petitioner to approach the Id. Court concerned for seeking apt remedies under the apt provisions of law.

January 08, 2025
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(KULDEEP TIWARI)
JUDGE

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