



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CRM-M-1057-2025

Decided on : 21.01.2025

Rahul Sood

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Shashank Shekhar Sharma, Advocate
for the petitioner(s).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana
assisted by ASI Manoj Kumar.

SANJAY VASHISTH, J. (Oral)

1. The petitioner has filed the present petition under Section 528 of BNSS, 2023, for seeking quashing of FIR No. 15, dated 10.01.2021, under Sections 120-B, 406, 420 & 506 of IPC, registered at Police Station Kalayat, District Kaithal, Haryana.

2. At the outset, learned counsel for the petitioner relies upon the order dated 16.12.2024, passed in a bunch of quashing petitions (lead case i.e. CRM-M-58500-2024), and submits that since the allegations in all these cases are identical, present petition can also be disposed of, in the same terms.

3. After going through the order dated 16.12.2024 passed in CRM-M-58500-2024 and all other connected petitions, learned State counsel submits that by accepting the prayer of the petitioner, present petition can be disposed of, in the same terms, subject to the abiding of the conditions



which have been put in the said order.

For convenience, same is reproduced here below:-

- “1. In all these petitions common question of law and facts are involved, however, FIRs are different, all these petitions are taken together. For brevity, the facts are taken from CRM-M-58500-2024.*
- 2. Seeking quashing of FIR No. 23 dated 21.01.2017 registered under Sections 120-B, 406, 420 IPC at Police Station Ladwa, District Kurukshetra, Haryana, the petitioner has come up before this Court under Section 528 BNSS, 2023.*
- 3. Counsel for the complainant has put in appearance in CRM-M-58500- 2024 and filed his power of attorney.*
- 4. Counsel for the petitioner submits that there is no allegation of criminal breach of trust, cheating, injury or threat against the petitioner, he has been unnecessarily named as an accused in the FIR due to which he is facing severe mental agony, stress and trauma and incident relates back to the year 2014.*
- 5. Counsel for the complainant submits that in one of the FIR, the petitioner's anticipatory bail application has already been rejected which shows that prima facie, he is involved and prosecution have ample evidence against him.*
- 6. To this, the petitioner's counsel submits that he has all the rights to seek anticipatory bail from higher Court, in case need arises, but the conduct of the State for not arresting him despite his bail being rejected shows that there is nothing against him and the intention of the Investigator is not to arrest him.*
- 7. On the other hand, State counsel opposed the petition on the ground that investigation is in progress and it is a huge scam and at this stage any interference may hamper investigation. He further submits that, till date prosecution is not launched and petition is pre-mature and investigation was delayed due to a writ petition filed before this Court which was disposed of on 05.11.2024.*
- 8. I have gone through the record and rival contention of the parties. This Court is of the opinion that end of justice would meet if following relief is granted to the petitioner, even State and complainant would also be benefitted from the same:-*
 - i) if investigator wants to arrest the petitioner, in that case, he shall apprise the petitioner atleast four days in advance (four working days) enabling him to take legal remedy,*
 - ii) Investigator shall take up the investigation on speedy mode and shall try to complete the same before 30.06.2025*
 - iii) In case, prosecution is launched against the petitioner, in that case, petitioner shall be at liberty to challenge the said charge-sheet and disposal of this petition shall not come in his way.*
 - iv) Petitioner may file an application for discharge before the trial Court if prosecution is launched, if such application is filed, in that case, trial Court shall decide the same before passing any order qua framing of charges by passing a reasoned order and petitioner is also at liberty to raise all points including those which are raised in this petition.*



9. *With the aforesaid observations, all the petitions stand disposed of.*

Pending applications, if any, also stand disposed of.”

4. Since, it is a common stand of the petitioner and the respondents that the allegations in the FIR are of similar nature, and already, this Court has entertained the similar prayer in the other connected matters, and disposed of the same, to maintain the principle of judicial propriety, present petition is also disposed of with the same terms & conditions, which have already been recorded in the order dated 16.12.2024, passed in CRM-M-58500-2024.

5. Accordingly, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 21, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No