

CRM-M-33528 of 2026(O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:088891



CRM-M-33528 of 2026(O&M)

Date of Order:01.07.2026

Anita and others

..Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Narender S. Tewatia, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana.

SHALINI SINGH NAGPAL, J.

Prayer in the petition under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 is for quashing FIR No.72 dated 17.02.2026
under Sections 121(2), 132, 190, 191(2), 221, 263(C), 324(4), 351(2) of
BNS at Police Station City Palwal, District Palwal (Haryana.)

2. The facts, per FIR:

On 16.02.2026 at about 09:20 p.m., information was
received by ASI Ranjit Singh from Control Room that Mahesh resident of
Deeghot, absconding accused in a murder case was coming towards Bus
stand in vehilce No.HR50K7412. On the information, ASI Ranjit Singh
alongwith his official companions intercepted vehicle bearing registration
No.HR50K7412, wherein two young men and a woman were travelling.
When he made inquiries regarding Mahesh resident of Deeghot, the person
who attempted to flee by opening the window of the Car, was controlled

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with the help of other police officials. The lady sitting in the car shouted that Mahesh be spared and instigated Harkesh not to leave the policemen. A person called Harkesh then started scuffling with ASI Ranjit Singh and other police officials to free Mahesh resident of Deeghot. All the while, the woman was crying out loud and started making a video from her phone. She called 7-8 people on the spot. The group scuffled, attacked and gave kick, punch blows to the police officials. Harkesh attacked SPO Padam Singh with a stick on his left hand. All of them assaulted the police officials, obstructed them in the official work and tore uniform of ASI Ranjit Singh by grabbing it from the shoulder. After freeing Mahesh resident of Deeghot, the accused damaged car bearing registration No.HR30AD5570 of ASI Ranjit Singh. They reached Government Hospital Palwal for treatment from where they were referred to higher center.

3. Learned counsel for the petitioners submits that allegations in the FIR were false, frivolous and fictitious. Petitioners were falsely dragged in the case by the local police, though they committed no offence. Infact on 16.02.2026 at about 9:30 p.m. petitioner-Anita alongwith her husband Harkesh and brother-in-law Lokesh, Kavita wife of Om Prakash and two children were coming from a marriage function when a white Brezza car hit their car. A person in the car hit their windshield with stick. Her husband was dragged out of the car and beaten up by three persons who were in civil dress. Later, complainant ASI Ranjit Singh, who was in police uniform also arrived. When ASI Ranjit Singh tried to take away Harkesh in his car, petitioner-Anita, who was 4 month's pregnant raised hue and cry, upon which she was slapped, her clothes were torn, Harkesh was beaten up and

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thrashed. Petitioner-Anita made a video of the incident and on seeing the crowd collecting, complainant ran away threatening to kill them, if they dared to take any legal action. Learned counsel further submits that petitioners approached the Court at Palwal for registration of FIR and the matter was still pending. Harkesh was serving in the Indian Army and his Commanding Officer spoke to the SP, Palwal, whereafter, the FIR was got registered and the police arrested the petitioners. Referring to Annexure P-3, photographs of the incident, it was urged that the photographs proved that it was the police party which has assaulted the petitioners and not the other way round. It was thus prayed that the subject FIR be quashed by invoking inherent powers of the Court under Section 528 of BNSS.

4. The power under Section 482 Cr.P.C. entitles the High Court to quash criminal proceedings when it is found that allowing the proceedings to continue would result in abuse of the process of Court or that the ends of justice requires that the proceedings be quashed. However, the inherent power is to be exercised in rare and exceptional cases. It is not the function of this Court, while dealing with a petition under Section 482 Cr.P.C. to weigh the pros and cons of prosecution case. Merits of the allegations cannot be examined in quashing petition as in appellate jurisdiction or while conducting trial. If a *prima facie* case is made out disclosing the ingredients of the offence, the Court should refrain from quashing criminal proceedings. The FIR, contents of which have been reproduced above, gives details of the offences allegedly committed and the manner in which they were committed. Version of the petitioners that police party had assaulted and caused them injuries, would be required to be tested at time of trial. Whether

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or not the complainant and other police officials, indeed assaulted and obstructed the petitioners, is a question, which can be decided only on conclusion of trial, upon appreciation of oral as well as documentary evidence, led by the prosecution and the defence. Disputed questions of facts cannot be examined in a quashing petition, when the FIR *prima-facie* discloses commission of cognizable offences.

5. In **Hira Lal v. State (Govt. of NCT) Delhi, 2003 SCC(Cri)2016**, Hon'ble Supreme Court ruled this:-

“It is a firmly established principle that, while examining a petition for quashing under Section 482 of the Crpc, the court must refrain from conducting a mini-trial or undertaking a detailed evaluation of the evidence. The inherent power to quash criminal proceedings is to be exercised only in rare and exceptional circumstances, such as where the allegations in the FIR are patently absurd, inherently improbable, or fail to disclose any cognizable offence. When the FIR or complaint, on its face, discloses the basic ingredients of a cognizable offence, the appropriate course is to allow the process of investigation and trial to continue, rather than prematurely terminating the prosecution at an interlocutory stage. Interference at this stage would not only impede the investigative process but also defeat the very object of criminal justice.”

6. It has been settled in '**State of Haryana and others vs. Ch. Bhajan Lal and Ors 1992 SCC (Cri) 426**' and '**Neeharika Infrastructure v. State of Maharashtra, (2021) 19 SCC 401**' that an FIR should not be quashed merely on the basis of an alternate version or defence, unless it clearly falls within the well demarcated categories laid down by Hon'ble Supreme Court for the exercise of jurisdiction under Section 482 Cr.P.C.

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(now Section 528 BNSS). The case in hand does not fall within any such exception.

7. For the reasons above, the Court finds no ground to invoke inherent jurisdiction for quashing the FIR at this initial stage, when investigation is still pending. There is no merit in the petition, which stands dismissed.

8. The petitioners shall, however, be at liberty to raise all the pleas before learned Trial Court at the appropriate stage.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

01.07.2026

reema

Whether speaking/reasoned	:	Yes
Whether reportable	:	No