



CRM-M-18367 of 2024 **1**

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

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CRM-M-18367 of 2024

DATE OF DECISION :- 06.05.2025

Gyan Prakash Sarawgi

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gurinderjit Singh, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Ms. Sadhvi Bharti, Advocate
for Mr. Manish Soni, Advocate for respondent No. 2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Cr.P.C praying for quashing of FIR No.5 dated 04.01.2022 (P-1), under Sections 406, 506, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sector 37, District Gurugram, along with all consequential proceedings arising therefrom on the basis of compromise dated 20.03.2024 (P-2), entered into between the parties i.e. petitioner as well as respondent No.2.

(2) Allegations are that petitioner along with other accused induced and cheated *de facto* complainant to the tune of Rs.1,24,55,594/- and also threatened him for dire consequences.



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(3) Contends that matter has been amicably settled between the parties i.e. petitioner as well as respondent No.2; hence FIR in question as well as consequential proceedings deserve to be quashed.

(4) Learned Counsel for respondent No.2 has also acknowledged the contention raised on behalf of the petitioners.

(5) On the other hand learned State counsel vehemently opposed the prayer on the ground that petitioner is facing four other criminal cases of serious nature; hence, petition deserves to be dismissed.

(6) Heard learned counsel for the parties and perused the paper book.

(7) In terms of the order dated 26.11.2024 passed by the Coordinate Bench of this Court, statements of both the parties were recorded and a report dated 13.01.2025 has been submitted in this regard by learned Judicial Magistrate First Class, Gurugram. The operative part of the same reads as under :-

“5. From the statements of the as well as Investigating Officer, I am satisfied that accused Gyan Prakash Sarawgi is neither absconding nor has he been declared as a Proclaimed Person/Offender in this case or in any other case. Further, besides the instant FIR, four other criminal complaints are pending against accused Gyan Prakash Sarawgi i.e. ECIR Case/1/2022 under Sections 65 & 19(3) of Prevention of Money Laundering Act, 2002, Regular CBI/12019 uuder Sections 120-B, 420, 409, 468 & 471 of IPC, Regular CBI/8/2018 under Sections 120-B, 419, 420, 467, 468 & 471 of IPC and Regular CBI/7/2018 under Sections 120-B, 419, 420, 468, 471 & 467 of IPC.”

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Upon perusal of the above extract, it is quite evident that petitioner is facing four other criminal cases of serious nature; therefore, *prima facie*, he has no respect for the rule of law.

(8) In view of the above; and more particularly when State is opposing the prayer, there is no option, except to dismiss the petition.

(9) Ordered accordingly.

(10) Needless to say that this order be not construed as an expression of opinion on the merits of allegation levelled in FIR No. 5 dated 04.01.2022 (P-1).

(11) Pending application(s), if any, shall also stand disposed off.

(MAHABIR SINGH SINDHU)
JUDGE

06.05.2025

P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No