



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

**CRM-M-39100-2025  
Date of decision: 25.07.2025**

**GAURAV GUPTA**

**...PETITIONER**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present:      Mr. Aditya Grover, Advocate;  
                 Ms. Gagandeep Kaur, Advocate and  
                 Mr. Manpreet Singh, Advocate for the petitioner.

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**HARPREET SINGH BRAR, J. (ORAL)**

1.              This petition has been filed under Section 528 BNSS, 2023 seeking quashing of FIR No.0088 dated 14.05.2025 under Sections 316(2), 318(4), 61(2) of BNS, 2023 registered at Police Station Khanna City-2, Khanna (Annexure P-1) along with all subsequent proceedings arising therefrom.

2.              Learned counsel for the petitioner, *inter alia*, contends that petitioner has been falsely implicated in the FIR (*supra*). He further contends that petitioner is partner in the different firm and does not have any concern with the said firm, with which the complainant entered into dealing. Furthermore, no documentary evidence with regard to the payment has been brought on record. Learned counsel submits that necessary ingredients invoking the provision of Sections 406 and 420 of Indian Penal Code, 1860 are missing. Learned counsel for the petitioner further submits that the petitioner would be satisfied in case all the documents, which are annexed with the present petition and all the averments made herein, are considered by



the Investigating Officer before submitting the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent No.1-State and submits that he has no objection, in case the Investigating Officer is directed to consider all the documents, which are annexed with the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself.

6. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the documents, which are annexed with the present petition and averments made in the present petition, before preparing the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*) and submit the final report expeditiously.

7. It is clarified that in case, final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*) is against the petitioner, he would be at liberty to file a fresh petition to challenge the FIR (*supra*) as well as the final report under Section 193 of BNSS, 2023 (*erstwhile Section 173 Cr.P.C.*).

**(HARPREET SINGH BRAR)**  
**JUDGE**

**July 25, 2025**  
*manisha*

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No