

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11661-2015 (O & M)
Date of decision:22.12.2015

Meena Jain

...Petitioner(s)

Versus

The State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gautam Dutt, Advocate,
for the petitioner(s).

Mr. Gaurav Dhir, DAG, Haryana.

Mr. Rajesh Kumar, Advocate,
for Mr. Manoj Kumar, Advocate,
for respondent No.2.

Mr. Lalit Sharma, Advocate,
for respondent No.3.

Rajan Gupta, J. (oral)

Present revision petition is directed against the order passed by the revisional court whereby it has set aside the order passed by Judicial Magistrate Ist Class, Panchkula dated 08.08.2014 framing charges against the accused for commission of offences under Sections 406, 420, 465, 467, 468, 471, 474, 506 and 120-B IPC.

Learned counsel for the petitioner has assailed the order on the ground that at the time of framing of charge, trial court was not required to go into the evidence available against the accused. Only a prima facie case had to be made out. He has made a limited prayer that trial court while considering the issue afresh may not take into consideration the observation made by the revisional court in Paras 12 and 13 thereof.

This prayer is not opposed by learned State counsel.

Learned counsel appearing for the private respondents submits that there is no infirmity with the order.

I have heard learned counsel for the parties. The matter has already been remanded by the revisional court to the Judicial Magistrate Ist Class for consideration afresh. In view of stand taken by the petitioner and the State counsel, this court does not feel the necessity to delve deep into the matter. This petition is disposed of with a direction that trial court shall proceed further without being swayed by the observations made by the revisional court in Paras 12 and 13 of its order.

22.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE