

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26146 of 2013

Decided on: February 05, 2015.

Swaranjit Kaur and others

.... Petitioners

Versus

U.T of Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ajayvir Singh, Advocate,
for the petitioners.

Mr. Sukant Gupta, Addl. P.P,
for U.T., Chandigarh.

M.M.S. BEDI, J (ORAL)

Petitioners seek quashing of FIR under Sections 420, 467, 468, 471, 120-B IPC registered at the instance of Ashish Anand alleging that neither any offence is made out against the petitioners nor the police or Courts at Chandigarh have got territorial jurisdiction as per provisions of law.

Learned State counsel informs that challan has already been presented on 30.01.2014 and next date of hearing before the trial Court is 24.02.2015.

I have gone through the facts of the case and I am of the opinion that all the pleas taken up in this petition can be raised by the petitioners before the trial Court at the time of framing of charges as the trial Court has got a jurisdiction to discharge the accused in case ingredients of

particular Section are not made out or the Court forms opinion regarding absence of territorial jurisdiction.

Disposed of as pre mature without prejudice to the right of the petitioners. It is directed that all the pleas taken up at the time of framing of charges will be considered and a speaking order is passed while considering the matter regarding charges.

(M.M.S. BEDI)
JUDGE

February 05, 2015
harsha