

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-28194 of 2015

Date of Decision: September 21, 2015

Taj Kaur and another

.....Petitioners

Vs.

State of Haryana and anr.

.....Respondents

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

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Present:- Mr.Arun Yadav, Advocate
for the petitioners.

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

Counsel for the petitioners has vehemently argued that the offences under Section 452 and 506 IPC are not made out from the material available on the record and that the investigating agency had also formed an opinion that the said offences were not made out during the course of inquiry.

After hearing counsel for the petitioners I am of the opinion that the petitioners have a good case not warranting conviction under Sections 452/ 506 IPC but an order of discharge passed against the petitioners for the offences under Section 452/ 506 IPC would not, in any manner, help the

petitioners as the trial has to continue before the Magistrate under the other offences.

Since the petitioners are to face the trial for the other offences, it will be open to the petitioners to impeach the credibility of the witnesses so far as the allegation under Sections 452/ 506 IPC are concerned. While disposing of this petition, it is observed that anything said by the Sessions Judge, Narnaul, in impugned order dated July 20, 2015 or by this Court will not effect the merits of the case. It will be open to the trial Court to acquit the petitioners for the offences under Sections 452/ 506 IPC which offences were not originally added at the time of presentation of challan.

With the above said liberty, this petition is permitted to be withdrawn.

Disposed of as withdrawn.

September 21, 2015
sanjay

(M.M.S.BEDI)
JUDGE