

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

CRM No. M-19136 of 2016 (O/M)

Date of decision : May 30, 2016

Rattan Chand

..... Petitioner

Versus

State of U.T., Chandigarh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amandeep Rana, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Petitioner has impugned the order dated 25.02.2016 (Annexure P-3) passed by learned Addl. Sessions Judge, Chandigarh, vide which the framing of charges for the commission of offence punishable under Section 392 read with Section 34 IPC was upheld against the present petitioner, whereas the framing of charge for the commission of offence punishable under Section 66-A of the Information and Technology Act, 2008 was set aside, in view of the fact that the same has been struck down by the Hon'ble Supreme Court as per the law laid down in the authority cited as ***“Criminal Writ Petition NO.167 of 2012 in case of 'Shreya Singhal vs Union of India.”***

After going through the documents placed on file, I am of the view that the charges are to be framed on the basis of the police report filed under Section 173 Cr.P.C., the statements of the witnesses recorded under Section 161 Cr.P.C. and the documents placed on file. The learned Magistrate has framed the charges for the commission of offence punishable

under section 392 read with Section 34 IPC and the same have been upheld by the learned Addl. Sessions Judge, Chandigarh, vide impugned order. Therefore, while exercising the powers under Section 482 Cr.P.C., this Court does not find any ground to interfere in the same.

Accordingly, the present petition stands dismissed.

(KULDIP SINGH)
JUDGE

May 30, 2016
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