

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

131

CRM-M-24975-2016 (O&M).

Nachhatar Singh

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

*** * ***

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

*** * ***

PRESENT Mr.Aman Pal, Advocate, for the petitioner.

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

This is a petition for quashing of FIR.

It has been contended by the counsel for the petitioner that even if the entire material forming part of report under Section 173 (2) Cr.P.C. is minutely scrutinised, no offence is made out against the petitioner.

Counsel for the petitioner seeks to place reliance on the documents which form part of report under Section 173 (2) Cr.P.C.

I have considered the contentions of the learned counsel for the petitioner and I am of the opinion that since the challan has already been presented and the charges have not yet been framed, the contentions of learned counsel for the petitioner being based on the documents which form part of report under Section 173 (2) Cr.P.C., it will not be appropriate for this Court in the exercise of inherent jurisdiction to enter into the niceties of the trial or to consider the documents of the challan.

This petition is disposed of as pre mature with liberty to the petitioner to raise all the pleas taken up in this petition at the time of consideration of charges. In case on the basis of the material available on the record, the trial Court is of the opinion that no offence is made out from the material forming part of challan, it will always be open to the said Court to pass appropriate order discharging the petitioner. It is expected that all the pleas taken up in this petition by the petitioner would be taken into consideration while considering the case for framing of charges.

(M.M.S. BEDI)
JUDGE

July 25, 2016.
rka