

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39394-2014 (O&M)

Date of decision: December 12, 2016.

Amandeep Singh @ Aman

... **Petitioner**

v.

State of Punjab and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Vijay Rana, Advocate for the petitioner.

Shri K.S. Sidhu, Assistant Advocate General, Punjab.

Shri H.S. Gill, Sr. Advocate with
Shri Vivek Goel, Advocate for respondent No.2.

A.B. Chaudhari, J. (Oral):

Heard learned Counsel for the rival parties. Learned Counsel for the petitioner submits that the petitioner is aggrieved by order dated 28.8.2014 (Annexure P-7) passed by the trial court by which accused Dharminder Singh was found innocent and said statement was accepted by the court. Learned Counsel for the petitioner as also learned Counsel for the respondent No.2 are ad-idem that challan has been filed before the trial court. Since the challan has been filed and as stated by Learned Counsel for the petitioner, an application under Section 319 Cr.P.C. for impleading said Dharminder Singh in the array of accused, was filed before the trial court and the same is lying without any order, this petition cannot be entertained as the petitioner has efficacious and effective remedy before the trial court.

Therefore, this petition is disposed of reserving liberty in favour of the

petitioner to apply to the trial court for assisting the prosecution and also to press the application under Section 319 Cr.P.C. if the same is pending before the trial court. The same shall be decided at the earliest. The petitioner is allowed to appear before the trial court for assisting the prosecution.

Observations made by this Court in order dated July 09, 2015 can also be taken into consideration by the trial court.

December 12, 2016.
kadyan

[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No