

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

CRL. MISC. No.M-41156 OF 2015
DATE OF DECISION : 6th DECEMBER, 2016

Rajat Gupta & others

.... Petitioners

Versus

State of UT Chandigarh & another

.... Respondents

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

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Present : Mr. Bipan Ghai, Senior Advocate with
 Mr. Deepanshu Mehta, Advocate for the petitioners.

 Mr. J. S. Toor, APP for UT Chandigarh.

 Mr. Sartej Singh Narula, Advocate for respondent No.2.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties.

Upon hearing learned counsel for the parties and upon perusal of the FIR in detail, I find that all the facts stated in the FIR as well as submissions made by the counsel for the parties clearly show that the issue is required to be dealt with only upon the evidence and no conclusion, whatsoever, can be withdrawn at such a premature stage. There are several disputed questions of facts and it is not possible to come to any proper conclusion since the factual aspects are involved.

The trial Court would better find the truth after examining the concerned persons and recording the entire evidence.

Disposed of accordingly.

6th DECEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No