

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

TAPINDER SINGH MANN
20/03/2016 14:31

Cr. Misc. M 42426 of 2015
Date of decision:- 1.3.2016

Gagandeep Singh

Petitioner

VS.

State of Punjab

Respondent

Present: Mr. HS Dhandi, Advocate.
Ms. HK Athwal, DAG, Punjab

M.M.S.BEDI,J.

The petitioner seeks quashing of FIR on the ground that the complainant having already been examined, has not supported the case of the prosecution, resulting in the acquittal of his co-accused.

Counsel for the petitioner seeks to place reliance on the statement of the injured to the effect that the petitioner was also not involved in the case. Since the petitioner had been declared a proclaimed offender, whether the said statement could be read as per the provisions of Section 299 Cr.P.C., will be a debatable issue.

In view of the above, I do not find any ground to quash the FIR. However, it is ordered that in case the prosecution agency seeks to present supplementary challan against the petitioner; the petitioner having granted the concession of pre-arrest bail, it will be open to the investigating agency to file the same. It will be appreciated in case the necessary choice for presentation of supplementary challan is opted within a period of one month. In case the prosecution agency opts to present challan against the petitioner, the trial court shall conclude the trial within a period of three months. The trial court shall make an earnest endeavour to examine the injured witness prior to the other witnesses.

Disposed of.

March 1 ,2016
TSM

(M.M.S.BEDI)
JUDGE