

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

**CRL. MISC. No.M-7809 OF 2015**  
**DATE OF DECISION : 11<sup>th</sup> AUGUST, 2016**

**Joginder Singh**

**.... Petitioner**

**Versus**

**Union Territory of Chandigarh**

**.... Respondent**

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

\* \* \* \*

Present : Mr. N. S. Shekhawat, Advocate for the petitioner.

Mr. Sukant Gupta, APP for UT Chandigarh.

Ms. Jasneet Mehra, Advocate for  
Mr. L. M. Gulati, Advocate for the complainant.

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**A. B. CHAUDHARI, J. (ORAL)**

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.441 dated 01.09.2012 registered under Sections 420 and 120-B IPC at Police Station Sector 34, Chandigarh.

Heard learned counsel for the rival parties.

Admittedly, the challan has been filed before the competent Court and is pending since 01.09.2012. By this time the trial should have become ripe for hearing.

Learned counsel for the complainant states that the charge had been framed.

Learned counsel for the petitioner submits that upon bare perusal of the entire chargesheet no evidence said to have been found against the petitioner.

In my opinion, effective, efficacious remedy available for the petitioner is to apply for the discharge in warrant case even if charge has been framed.

In that view of the matter, liberty is granted in favour of the petitioner to file a petition for discharge in a warrant case in question. The same be decided within a period of four weeks from the date of its filing.

The petition is disposed of with liberty as aforesaid.

**11<sup>th</sup> AUGUST, 2016**  
*'raj'*

**(A. B. CHAUDHARI)**  
**JUDGE**

Whether speaking/reasoned:                      Yes                      No

Whether Reportable:                                      Yes                      No.