

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

CRM No.M-8294 of 2015 (O&M)

Date of Decision: May 26, 2016

Sohan Lal

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Naveen Bawa, Advocate
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against respondents State of Punjab and Harpreet Singh for quashing of FIR No.151 dated 07.09.2009 under Sections 420, 494, 496 and 120-B IPC registered at Police Station Dharamkot, District Moga and all consequential proceedings i.e. charges framed vide order dated 27.03.2014 qua the petitioner as the entire proceedings are in grave contravention to the settled tenets of criminal jurisprudence.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record as well as from the arguments, I find that in the present case, charges were framed on 27.03.2014 but no revision has been filed against the charges. The trial was going on before the Court and as argued, all the witnesses of the prosecution have already been examined. Therefore, the trial is almost complete. The Court has already taken the cognizance and almost completed the trial.

In view of the facts and circumstances of the present case and also in view of the charges under Sections 120-B, 420, 494 and 496 IPC, I find that these are to be determined by the trial Court on the basis of the evidence produced before it. It is finding of fact whether all these petitioners have entered into criminal conspiracy or not. Therefore, at this stage, in the facts and circumstances of the present case, I find that the case should be decided by the trial Court on merits and the petitioner can take all the pleas before the trial Court.

Therefore, finding no merit in the present petition, the same is dismissed. However, nothing stated above will constitute my opinion on merits of the case.

May 26, 2016
Vgulati

(INDERJIT SINGH)
JUDGE