

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

CRM No. M-16170 of 2016.

Date of Decision: 27.04.2017.

Deepak Sharma @ Rinku

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sushil Kumar Sharma, Advocate for
Mr. Vishal Deep Goyal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

This is a petition under Section 482 Cr.P.C for issuance of directions to respondent Nos. 2 to 4 to take strict action against respondent Nos. 5 to 7 for illegally detaining, torturing, beating and falsely implicating the petitioner at the instance of respondent No.8 in case under Section 109, 41(2) Cr.P.C vide Rapat No.2 dated 01.05.2016 registered at Police Station Phillaur, District Jalandhar Rural.

It is contended that the petitioner has been implicated in the aforesaid case at the instance of respondent No.8. It is further contended that strict action be taken against respondent Nos. 5 to 7.

As per the reply filed by the State, the petitioner is one of the twelve accused of FIR No.73 dated 19.04.2016 registered under Sections 336, 506, 148 read with Section 149 IPC and Section 25

of Arms Act at Police Station Phillaur, District Jalandhar (Rural). The

accused were arrested on 14.05.2016 and one carbine 0.9 mm along with one magazine, 15 cartridges and one empty cartridge 0.9 mm were also taken into possession on 19.04.2016 and 25.04.2016 respectively.

It is submitted by the learned State counsel that the matter is pending before the trial Court and the charges have been framed against the petitioner.

In view of the fact that the trial Court is seized of the matter and the charges have been framed, no case for interference is made out as the factual aspect of the matter shall stand decided by the trial Court after adducing evidence by both the parties.

Dismissed.

27.04.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No