

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

(Sr. No.258)

CRM-M-35893-2015

Date of Decision:-May 11, 2017

Mustak and others

.....Petitioners

V/S

State of Haryana and another

.....Respondents

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

Present : Mr. G.S. Bajwa, Advocate,
with Mr. R.K. Vashisth, Advocate, for the petitioners.

Mr. G.S. Salwara, DAG Haryana.

Mr. Shamsheer Singh Dinarapur, Advocate,
for respondent No.2-complainant.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

Learned counsel for the State submits that the charge has been framed.

Learned counsel for the petitioners submits that the matter is purely of civil nature and, therefore, this Court should interfere. Upon perusal of the ordersheets, I find that notice of motion was issued on October 19, 2015 and thereafter the matter came for the first time on January 12, 2017. In the meanwhile, since there was no interim order, the charge has been framed and the prosecution evidence will begin soon.

The stage of framing charge is a stage where accused persons can be heard before framing charge. If, the accused persons were not heard in the present case for framing of charge, the trial Court shall hear them afresh for framing of the charge and thereafter decide the issue of framing charge according to law and then proceed according to law.

Disposed of with liberty aforesaid.

May 11, 2017

(A.B. Chaudhari)
Judge

Pankaj

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No