

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

Sr.No.257

**CRM-M-40615-2015 (O & M)
Date of Decision:13.12.2018**

Dr.Bodhraj Thakur

....petitioner

Versus

State of Haryana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARVIND SINGH SANGWAN

Present: Mr.R.D.Gupta, Advocate
for the petitioner

Mr.Naveen Sheoran, DAG Haryana

Ms.Mandeep Kaur, Advocate for
Mr.Amrit Paul, Advocate
for respondent No.3

ARVIND SINGH SANGWAN, J. :

Prayer in this petition is for quashing of FIR No.146 dated 11.02.2015 for offence punishable under Sections 304-A/34 IPC, registered with Police Station City, District Panipat.

Learned State counsel on instructions from SI Baljit Singh submits that out of 18 prosecution witnesses, 09 witnesses have already been examined and only 3 to 4 effective witnesses are yet to be examined.

This petition is pending since 2015 and a perusal of the last orders show that there is no stay of proceedings and the petitioner has not opted to argue the case and is taking the dates.

It has been held by the Hon'ble Supreme Court in the case of ***Narinder Singh vs. State of Punjab, 2014(6) SCC 466***, that where the prosecution evidence is almost complete or after the conclusion of the evidence, the matter is at the stage of arguments, normally, the High Court

should refrain from exercising its power under Section 482 Cr.P.C. as in such cases, the trial Court would be in a position to decide the case finally on merits and to come to a conclusion that the offence is committed or not.

In view of the same, this petition is disposed of having been rendered infructuous. Liberty is granted to the petitioner to raise all the pleas/defence during the course of the trial .

(ARVIND SINGH SANGWAN)
JUDGE

13.12.2018

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Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No