

In the High Court of Punjab & Haryana at Chandigarh.

CRM-M-9880-2018

Date of decision: 08.03.2018.

Ravinder Singh

..... Petitioner.

VS.

State of Punjab & Another

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr.Abdul Shehbaz Thind, Advocate, for the petitioner.

ARVIND SINGH SANGWAN,J.(ORAL)

Prayer in this petition is for setting aside the order dated 30.01.2018 (Annexure P1) dismissing the the application filed by the petitioner under Section 294 Cr.P.C..

Counsel for the petitioner submits that the trial Court has dismissed the application primarily on the ground that since the charges have not been framed, therefore, the application under Section 294 Cr.P.C. is not maintainable. He further submits the this petition may be disposed of with liberty to the petitioner to move an application for discharge at the stage of framing of the charge and he may be permitted to take all the pleas/defences which are taken in this petition.

This petition is disposed of with a direction that in case the application for discharge is filed by the petitioner alongwith documents, the same will be considered and decided on merits at the time of framing of charge and the trial Court will not take into consideration that vide impugned order dated 30.01.2018, the application of the petitioner under Section 294 Cr.P.C. has been dismissed.

08.03.2018.

smriti

(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No