

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

Criminal Misc. No.M-25368 of 2019(O&M)

Date of Decision: November 25, 2019

Sushil Kumar

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Rajesh Khandelwal, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 482 Cr.P.C seeking quashing of FIR No.04 dated 04.08.2017 under Sections 365, 384, 120-B of the Indian Penal Code (Sections 419 and 489 IPC added lateron), Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 7, 13(2) of the Prevention of Corruption Act (Section 8 of PC Act added later on), Police Station STF Phase 4, SAS Nagar, Mohali and for quashing of the order dated 12.10.2018 passed by the Trial Court framing charges against him and all consequential proceedings.

The petitioner had earlier filed CRM-M-11376 of 2018 seeking quashing of the FIR on the same grounds as stated in the present petition. Considering that charges had also been framed Ld. Counsel for the petitioner had sought permission to withdraw the petition with liberty to file a fresh one challenging the charges. The petition was disposed of vide order dated

At the very outset, learned counsel for the petitioner states that the charges have been framed and he seeks permission to withdraw the present petition with liberty to file a fresh one challenging the charges.

Allowed as prayed for.

Dismissed as withdrawn with the aforesaid liberty.

Since the main case has been dismissed as withdrawn, the pending Criminal Miscellaneous Application, if any, also stands dismissed as withdrawn.”

The only addition in the present petition is that the petitioner has annexed the order passed by the Trial Court framing the charges against him.

Learned counsel for the petitioner has not been able to address any argument as to how the order framing charges is wrong and unsustainable or the charges as framed are not prima facie made out on the basis of the report under Section 173 CrPC. Neither has the report under Section 173 Cr.P.C. been annexed with the petition or even referred to.

Dismissed.

November 25, 2019

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No