

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

CRM-M-72-2020
Date of Decision:-6.1.2020

AMARJIT SINGH @ BALI

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagraj Singh Khiva, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks quashing of FIR No.84 dated 1.7.2019 under Sections 302, 148, 149 IPC, Police Station Bhikhi District Mansa and '*Challan*' filed under Sections 302/34 IPC while raising a plea of alibi to the effect that on the day of occurrence, he was 300 kilometers away from the place of occurrence inasmuch he had gone to Baru Sahib Gurudwara to pay obeisance.
2. Learned counsel, in order to hammer forth his aforesaid submission has drawn the attention of this Court to pictures taken from CCTV footage from cameras installed at the Academy at Baru Sahib Gurudwara complex.

Learned counsel has also referred to the call details of phone No.99154-98001 belonging to the petitioner, as per which the location of the petitioner is shown at Baru Sahib Gurudwara.

3. Learned counsel has submitted that during the course of inquiry he had also furnished toll plaza receipts indicating that the petitioner has visited Baru Sahib Gurudwara during the period in question.
4. Learned counsel has further submitted that infact an inquiry was conducted by the police and he was found innocent but for the reasons best known by the police it subsequently chose to file a '*Challan*' against the petitioner as well.
5. Having heard learned counsel for the petitioner, the petition is disposed of with liberty to the petitioner to raise all the points raised herein before the trial Court at appropriate stage. Since it has been informed that the matter is fixed before the trial Court today to consider framing of charges, the petitioner would be at liberty to raise aforesaid pleas before the trial Court today itself. In case such pleas are raised, the trial Court shall consider the same in accordance with law while considering framing of charges.
6. A copy of this order be supplied to learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

(GURVINDER SINGH GILL)
JUDGE

6.1.2020
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No