

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

**CRM-M No.6662 of 2019
Date of Decision.06.03.2020**

Sumit Kumar and others

...Petitioners

Vs

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Sandhu, Advocate
for the petitioners.

Ms. Mahima Yashpal, AAAG, Haryana.

:-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. for praying quashing of FIR No.287 dated 01.07.2018 under Sections 147, 149, 323, 506, 448 and 354B IPC registered at Police Station Rai, District Sonipat.

Counsel for the petitioners herein would contend that a false case has been registered against petitioners and therefore, prays that a fair investigation be conducted in the said matter.

Pursuant to the notice of motion having been issued, a reply has been filed by the respondent-State. As per affidavit filed by Jitender Singh, HPS, Deputy Superintendent of Police, Head Quarter Sonipat, a fair investigation has been done and based on the evidence available, a challan has already been presented in the said case.

Learned counsel appearing on behalf of the petitioners is not in a position to dispute the fact that a challan has been presented, however, now limits his prayer to the extent that petitioners may be allowed to

challenge the charges framed, while further praying that personal exemption of two of the petitioners i.e. petitioner Nos.5 and 6 may be exempted from day to day appearance and they may be permitted to appear through counsel.

I have heard learned counsel for the parties and find that the prayer in the instant petition stands infructuous, since challan already stands presented. This petition is being disposed of, giving liberty to the petitioners to challenge the charges framed, if so desired, by raising all pleas as have been raised before this Court at the time of arguments, while exempting petitioners No.5 and 6 from putting in personal appearance before the trial Court and they are permitted to appear through counsel on all dates other than the dates when their personal appearance is required.

(JAISHREE THAKUR)
JUDGE

March 06, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No