

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 35886 of 2020

Date of Decision: 05.11.2020

Gurbhej Singh alias Bheja

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Brijesh Nandan, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Assistant Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

This petition, under Section 482 Cr.P.C., has been filed to quash the FIR No. 86, dated 10.08.2017, registered under Section 307, 34 & 474 IPC, Section 25 & 27 of the Arms Act, 1959 and Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (hereinafter referred to as “the 1985 Act”), at Police Station Chola Sahib, District Tarn Taran.

It is not in dispute that from the reading of the FIR, the offence against the petitioner is made out.

Learned counsel for the petitioner submits that this Court should appreciate the evidence and pass a judgment.

After having considered the submissions of learned counsel for the petitioner, this Court is of the view that the present petition is an abuse of the process of the Court. The prosecution has already recorded the deposition of four witnesses. The trial Court, on the conclusion of the evidence, would appreciate the evidence. The petition under Section 482

Cr.P.C., is not maintainable on two ground; firstly, on the ground that the trial has already commenced and secondly, from the reading of the FIR, it is undisputed that the case is made out.

In view of the above, the present petition is dismissed.

(Anil Kshetarpal)
Judge

November 05, 2020

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No