

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

CRM-M-40748 of 2020

DATE OF DECISION :- December 21, 2020

Mukesh Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Dixit Garg, Advocate for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

The case has been taken up through Video Conferencing.

Petitioner Mukesh Kumar, an accused in F.I.R. No. 143/2020 dated 24.8.2020 under Sections 376,420,120-B IPC and Sections 3(1)(I) and 3(2)(VA) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act registered with Police station Division 1, District Pathankot, by way of filing the present petition seeks quashing of F.I.R. on various grounds. The main reason being that the prosecutrix was a consenting party. The State counsel has informed that on conclusion of the investigation challan has been filed against the accused in the Court on 12.10.2020. It being so, the petitioner has got adequate opportunity of raising all the pleas before the trial Court at the time of consideration on the point of framing of charge or earlier by moving an application for discharge and if the orders

passed by the trial Court are unfavourable, then he can challenge those orders by way of filing revision petitions etc.

Under the circumstances, no ground for quashing of the F.I.R. by way of acceptance of the present petition is made out.

The petition stands dismissed.

(H.S. MADAAN)
JUDGE

December 21, 2020
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No