

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

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**CRM-M-22110-2018 (O&M)**

**Date of Decision: 27.10.2021**

Gurcharan Singh Syal

...Petitioner

Versus

State of Punjab & another

...Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Vikram Chaudhri, Senior Advocate, with  
Ms. Isha Goyal, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Vinod Ghai, Senior Advocate, with  
Mr. Rishabh Gupta, Advocate, for respondent No.2.

*(proceedings conducted through video conferencing)*

**GURVINDER SINGH GILL, J. (Oral)**

The petitioner has approached this Court seeking quashing of FIR No.45 dated 30.03.2016 registered at Police Station Division No.3, District Jalandhar, under Sections 419/420/465/467/468 IPC (Annexure P-1) and all consequential proceedings emanating therefrom.

Learned State counsel has informed that the matter is presently fixed before the trial Court to consider framing of charges.

In view of the aforestated position, wherein the matter has already been investigated by the police and challan stands presented and the matter is to be considered by the trial Court for consideration of framing of charges, this Court deems it appropriate to relegate the

petitioner to the trial Court to raise all the pleas, as have been raised herein, at the stage of consideration of framing of charges.

Needless to mention that the trial Court shall pass a speaking order in case all such pleas are raised before it and the petitioner would always be at liberty to assail any such order, in case the same is found to be adverse to the petitioner.

At this stage, learned senior counsel appearing on behalf of the petitioner has submitted that the presence of the petitioner before trial Court may be exempted.

In case, any such application is filed before the trial Court by the petitioner seeking his exemption from personal appearance, the trial Court shall consider the same in accordance with law while keeping in view his advanced stage, as the petitioner is stated to be 71 years old.

Petition stands disposed of accordingly.

**27.10.2021**

Vimal

**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**