

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15835-2021
Date of Decision:01.09.2021

Rajesh Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ajay Vijarana, Advocate for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through Video Conferencing.

This petition has been filed for quashing the order dated 26.03.2021 (Annexure P-4) passed by Additional Sessions Judge, Gurugram.

Though the learned counsel for the petitioner vehemently submits that there was no occasion for the learned Additional Sessions Judge, Gurugram to set aside the well reasoned order dated 05.11.2020 passed by the Sub Divisional Magistrate, Sohna, yet this Court does not find any merit in the said submission for the reason that the impugned order only directs the trial Court to determine the question of framing the charges afresh.

Faced with this situation, learned counsel for the petitioner contends that while determining the question of framing the charges afresh, the trial Court, might get influenced by the findings recorded by the learned Additional Sessions Judge, Gurugram.

Taking into consideration the said submission of the counsel

for the petitioner, it is made clear that while determining the question of framing of charges afresh, learned Sub Divisional Judicial Magistrate, Sohna, shall remain uninfluenced by the findings recorded in the order dated 26.03.2021 passed by the Additional Sessions Judge, Gurugram.

Needless, however, to say that the charges shall be framed on the basis of the material on record.

Disposed of.

01.09.2021
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(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No