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

(Heard through VC)

CRM-M-24404 of 2021 (O&M)
Date of Decision: July 06, 2021

Mohammad Sakil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

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JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.51 dated 16.06.2020, registered under Sections 313, 323, 376(2)(n), 506 of Indian Penal Code at Police Station Women, Yamuna Nagar and charge-sheet dated 08.03.2021.

Counsel for the petitioner herein *inter alia* would contend that the petitioner has been falsely implicated in the present matter, as there is no *iota* of evidence available on record to hold him guilty of the charges as levelled in the FIR. It is submitted that the complainant was having a relationship with the petitioner and the FIR has only been registered, so that father of the complainant would not have to return the money as borrowed.

Notice of motion.

VIJAY SAINI
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accuracy of this document

At this stage, Ms. Deepshikha Chauhan, AAG Haryana, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. She, on instructions from ASI Sushma, would submit that the matter has been investigated and the challan presented and subsequent thereto, charges have also been framed and the matter is now pending for prosecution witnesses before the trial court for today itself. It is also argued that the petitioner herein has a remedy to file a revision petition against the framing of charges, which remedy has not been availed of.

I have heard learned counsel for the parties.

No ground is made out to quashing the FIR in question. The matter has been investigated and the challan presented. In case, the petitioner herein is aggrieved against the framing of charges, a remedy to file a revision petition against the charges which were framed on 08.03.2021, is available to him.

At this stage, counsel for the petitioner does not press the instant petition with liberty to challenge the charges framed by way of filing a revision petition.

Dismissed with the aforesaid liberty.

(JAISHREE THAKUR)
JUDGE

July 06, 2021
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Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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