

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26540-2021

Date of Decision: 13.07.2021

Jaswinder Singh and another

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Monty Goyal, Advocate, for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of the FIR No.15 dated 10.01.2017, under Section 68 of the Punjab Excise Act, 1914, registered at Police Station Division No.6, Industrial Area, Ludhiana.

The learned counsel for the petitioners has submitted that the FIR was lodged against the petitioners for an offence under Section 68 of the Punjab Excise Act and after investigation the challan was presented on 27.02.2017 and the petitioners are facing prosecution for the last more than four years. He submitted that even the examination of the police officials would show that there are direct and material discrepancies between the contents of the FIR and the statements.

Notice of motion.

Mr. Randhir Singh Thind, learned Deputy Advocate General,

Punjab accepts notice on behalf of State of Punjab.

After hearing the learned counsel for the parties, this Court is of the opinion that it is not a fit case for quashing of the FIR by this Court by invoking the provisions of Section 482 Cr.P.C. However, since the petitioners are facing the prosecution for the last more than four years and according to the learned counsel for the petitioners the trial has not commenced and even the statement of the police officials show that there are direct discrepancies between the contents of the FIR and the statements made by the police officials before the Court,. the trial Court is requested to expedite the trial.

Disposed of accordingly.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

13.07.2021.

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No