

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

110

CRM-M-43171-2020

Date of Decision: 11.01.2021

Amritpal Singh @ Khasa

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Jatinder Nagpal, Advocate
for the petitioner.

Mr.Sandeep Kumar, Deputy Advocate General, Punjab

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioner seeks quashing of FIR No.50 dated 06.05.2020, alleging therein the commission of offences punishable under Sections 302, 307, 323, 326, 324, 341, 188, 506, 148, 149 IPC, Sections 51 and 54 of Disaster Management Act, 2005 (with Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act added later on), registered at Police Station Pasyana, Patiala, along with with all consequential proceedings arising therefrom, including the challan dated 03.08.2020 (Annexure P/4). He also seeks quashing of a supplementary statement dated 16.05.2020 (Annexure P/2), vide which the petitioner was introduced as an accused after 10 days of the alleged occurrence.

Learned counsel for the petitioner submits that in fact the petitioner was named as an accused only 10 days after the alleged occurrence and the only allegation levelled against him is that he was armed with a danda and that he along

with other co-accused inflicted injuries, which also led to the death of one Bhupinder

Singh, with two other persons having been seriously injured.

He submits that in the FIR originally registered on 06.05.2020, though a large number of people were named who came on different vehicles and allegedly attacked the complainant and his companions, the petitioner was never named and the allegations levelled against him are only in the supplementary challan dated 16.05.2020 (Annexure P-2).

Subsequent thereto, the report under Section 173 Cr.P.C. was submitted to the competent court arraigning also the petitioner as an accused along with others. The charge, however, is still to be framed by the trial Court(after the case has been committed to the Court of Sessions by the learned Magistrate).

Having considered the matter, though undoubtedly it seems that the petitioner had been named only in the supplementary statement, the allegations being obviously very serious against the petitioner and his co-accused, this court would find no reason to interfere in the matter at this stage by quashing of the FIR.

Naturally, the petitioner would also have his remedies before the trial Court as regards any discharge that he may seek, upon which, if such application is moved, that Court would consider and pass an appropriate order. Naturally, if any such application is filed, it would be dealt with on merits as expeditiously as possible.

Consequently, without making any comment on the merits of the case, this petition is dismissed.

11.01.2021

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**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No