

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

120

CRM-M-52316 of 2021

Date of Decision: December 15, 2021

Srinivasa Rao Chintapatla and another

.....Petitioner(s)

Vs.

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Akashdeep Singh, Advocate for the petitioner(s).
Mr. Manish Bansal, DAG, Haryana

(Through Video Conferencing)

ANOOP CHITKARA J. (ORAL)

1. The petitioner has come up before this Court under Section 482 Cr.P.C. for quashing of FIR No.24 dated 10.01.2020, under Sections 188, 120-B IPC, 1860 and Section 4, 5 of PLP Act (Punjab Land Preservation Act), 1900 at Police Station Surajkund, District Faridabad.

2. Learned State counsel submits that challan already stands filed wayback on 15.02.2021 and the matter is now fixed for 23.02.2022. He further submits that once FIR is registered then it is upto the concerned Magistrate to take cognizance of the offence or not. As there is bar to take cognizance after a lapse of the period of limitation as contemplated under Section 468 Cr.P.C.

3. He further submits that Magistrate is empowers to extend the period of limitation as provided under Section 473 Cr.P.C. Petitioner is at liberty to raise all pleas before trial Court/Magistrate. Hence, the present petition is not maintainable.

4. Given above, the petition is dismissed being not maintainable with liberty to the petitioner to file an appropriate application before the trial Court at appropriate stage, if he so desires.

**(ANOOP CHITKARA)
JUDGE**

December 15, 2021

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