

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

227-A

CRM-M-3415-2021

Date of Decision: 24.11.2022

Rashpal Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. D.K. Sharma, Advocate for respondent No.2.

ANOOP CHITKARA, J.

Learned State counsel submits that notice of accusation has been issued.

Since the judicial order has been passed for issuing notice of accusation which has eclipsed and over-write the FIR and the police report under Section 173 CrPC, as such, the petitioner has to challenge the same.

Given above, the present petition filed under Section 482 CrPC for quashing of FIR without challenging the issuance of notice of accusation, is not maintainable.

Consequently, the present petition is disposed of with liberty to the petitioner to file a petition for challenging the issuance of notice of accusation, if so desire. It is made clear in case such petition is filed, the time for which the present petition was pending before this Court, shall not be counted while calculating the delay in challenging the framing of charges.

**(ANOOP CHITKARA)
JUDGE**

24.11.2022

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no