

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

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CRM-M-15637-2021

Date of Decision: 29.08.2022

Hardev Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Madan Gupta, Advocate for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

Mr. Vaibhav Sehgal, Advocate for the complainant.

ANOOP CHITKARA J. (ORAL)

Learned State counsel as well as counsel for the complainant submits that the charges have been framed. Learned counsel for the complainant has also handed over the order dated 06.07.2022, passed by the learned Chief Judicial Magistrate, Ludhiana, vide which the charges were framed against the petitioner.

Since the judicial order has been passed which has over written 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 framing of charges, is not maintainable.

Consequently, the present petition is disposed of with liberty to the petitioner to file a petition for challenging the framing of charges, 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**

29.08.2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No