

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

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CRM-M-17179-2021
Date of Decision: 10.11.2022

Gurjinder Singh and others Petitioners
Versus
State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ashok Kumar Sama, Advocate for the petitioners.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Gaurav Dutta, Advocate for respondent No. 2.

ANOOP CHITKARA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 57 dated 26.05.2015 under Sections 452, 324, 323, 148, 149 IPC registered at Police Station Amloh, District Fatehgarh Sahib.
2. Counsel for respondent No. 2 submits that charges stand framed way back in the year 2016 and without challenging the order of framing of charges, which is a judicial order, the present petition is not maintainable. Counsel for the State also made same prayer.
3. Admittedly, charges have been framed. Once after considering the entire police report, the trial Court frames the charges and passes the judicial order finding a prima facie case initiating trial against the accused, such judicial order has to be challenged and merely by quashing of the FIR, such order shall not stand closed automatically.
4. Given above, the present petition is disposed of. Liberty reserved to challenge the framing of charges in accordance with law and the time for which the present petition was filed and is pending before this court shall be excluded from the counting period of limitation. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

10.11.2022/Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No