

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

250

CRM-M-31014-2017
Date of Decision: 04.04.2022

Balraj Singh

..... Petitioner

Versus

State of Punjab and Anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

Learned Senior counsel for respondent No.2 submits that the charges have been framed on 11.10.2018 and this petition is for quashing of FIR is not maintainable. Since, the petition was filed in 2016 and the charges were framed later on.

Confronted with this, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to file a fresh petition under Sections 397 and 401 Cr.P.C. as so advice. Learned counsel further prayed for exemption from the period of limitation for the period this petition remain pending.

A request is innocuous because the petition was filed way back in 2016 and since there was no stay, as such, the charges were framed. The petitioners cannot be blamed for the pendency of the present petition.

Given above, present petition is disposed of having been withdrawn with liberty to file fresh petition.

All pending applications, if any, stand disposed of.

It is further clarified that time of the pendency of this petition right from the date of filing till today and 30 days beyond today that be excluded from the period of limitation.

04.04.2022

(ANOOP CHITKARA)

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JUDGE

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