

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

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CRM-M-32914-2018

Date of Decision:02.09.2022

Makhan Singh and others

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. N.K. Manchanda, Advocate for the petitioners.

Mr. Virat Rana, AAG, Punjab.

Mr. N.S. Dhaliwal, Advocate
for respondent No.2.

ANOOP CHITKARA J. (ORAL)

Learned State counsel submits that the charges have been framed on 23.07.2019.

The present petition was filed on 23.07.2018, which reveals that the charges were framed during pendency of the present petition.

Since the judicial order has been passed which has eclipsed the police report under Section 173 CrPC, as such, the petitioners have 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**

02.09.2022

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