

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

249

CRM-M-5944-2016 (O&M)**Date of Decision: 04.04.2022**

Sayed Hassan Akbar @ Hassan Akbar Ali and Ors.

..... Petitioners

Versus

State of Punjab and Anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Suvir Sidhu, Advocate
for the petitioners.

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

Mr. Gaurav Chopra, Sernior Advocate with
Mr. Rishabh Bajaj, Advocte for respondent No.2.

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 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 petitioners 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.

The request being 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.

Learned counsel for the petitioners further submits that the photocopy of documents/pleading filed in this case be permitted to be filed with the fresh case, if any.

This prayer is innocuous and it is allowed.

Given above, present petition is disposed of having been withdrawn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 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