

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

202

CRR-3369-2018

Date of Decision: 21.07.2022

Rajesh Yadav and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CRR-3573-2018

Rajesh Yadav and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CRM-M-45136-2018

Yogesh Kumar Yadav and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CRM-M-59122-2018(O&M)

Yogesh Kumar Yadav and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner(s) in CRR-3369-2018 & CRR-3573-2018.
Mr. Gautam Dutt, Advocate and
Mr. Manish Soni, Advocate for the petitioner(s)
in CRM-M-45136-2018 & CRM-M-59122-2018.

Mr. Manish Bansal, DAG, Haryana.

Mr. Aman Pal, Advocate for respondents No.2 & 3
in CRR Nos.3369 & 3573-2018.

Mr. Sandeep Verma, Advocate
for the complainant(s) in CRM-M Nos.45136 & 59122 of 2018.

ANOOP CHITKARA J. (ORAL)

This order shall dispose of four petitions as mentioned above. For

the sake of brevity, facts have been taken from CRR-3369-2018.

After arguing for considerable time, learned counsel for the parties agreed to the argument made by the accused that the time for the alleged offence either not mentioned or was mentioned only for the years 2007 to 2010, which is before the enactment of Haryana Protection of Interest of Depositors in Financial Establishment Act, 2014 (in short 'the Act').

Learned counsel for the State and the complainant as well, submit that the money was deposited even after the enactment of the said Act. Be that as it may bare reading of the chargesheets and the charges do not specify the dates for which the offences were committed and under which head.

Consequently, the present petitions are allowed and the matter is remanded back to the trial Court with direction to frame fresh charges mentioning time period for which the offences are committed. It is clarified that while framing the charges in case the concerned Court is of the opinion that no offence under the Act is made out, it shall be open for the concerned Court to delete the said offence and proceeds with the trial for the remaining offences or refer to appropriate Court.

Parties are directed to appear before the concerned Court on 01.08.2022 positively. The concerned Court is requested to pass the necessary orders on or before 31.08.2022 and trial be also expedite.

(ANOOP CHITKARA)
JUDGE

21.07.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No