

CRR-1473-2021

Date of decision: 20.04.2022

GURDEEP SINGH BAJWA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: None for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

None has joined the proceedings on behalf of the petitioner despite pass over. Even, on the previous date of hearing, none had appeared on behalf of the petitioner.

The petitioner is facing trial in a complaint case titled as Mandeep Kaur Versus Manjinder Singh Bajwa as one of the accused.

The petitioner has challenged the legality and validity of order dated 22.09.2021 passed by learned Judicial Magistrate 1st Class, Sultanpur Lodhi, Kapurthala vide which the charge was ordered to be framed. The primary grievance of the petitioner is to the effect that no written charges were formulated against him by the trial Court.

On 23.11.2021, it was represented on behalf of the petitioner that no separate order for framing of charges has been passed and even no separate charge-sheet has been framed against him. He sought time to furnish an affidavit in this regard.

On the subsequent date i.e. 17.12.2021, the affidavit of the petitioner was placed on record wherein it was mentioned that neither separate order for framing of charge has been passed nor any separate charge-sheet has been framed

and served upon the petitioner/accused.

Accordingly, the report from the trial Court in the matter was called. The report has been received from the learned trial Court which indicates that on 22.09.2021 itself, charge against the petitioner was framed. Interim order dated 22.09.2021 was also passed to that effect. The separate charge-sheet was also framed on which the petitioner had put his signatures. The copy of the interim order as well as the charge-sheet were also sent along with the report.

The perusal of the charge-sheet indicates that specific charge under Section 406 and 498-A IPC has been framed against the petitioner. In these circumstances, the plea of the petitioner to the effect that no separate charge-sheet has been framed against him by the learned trial Court is palpably false and liable to be rejected.

Even none is appearing on behalf of the petitioner for further prosecution of the petition. In these set of circumstances, the revision being devoid of merit is dismissed.

20.04.2022
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(VIVEK PURI)
JUDGE

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