

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

225

CRM-M-43981-2019

Date of Decision: 24.11.2022

Balkar Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bhupinder Ghai, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

ANOOP CHITKARA, J.

Through the present petition, petitioner seeks quashing of the FIR, however counsel for the State submits that charges have been framed on 30.01.2022.

Since the judicial order for framing of charges have been passed which eclipses and over-write the FIR and the police report under 173 CrPC, as such, the petitioner has 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 and limitation to challenge the charges shall start from today. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)
JUDGE**

24.11.2022

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no