

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

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CRM-M-1238-2023

Date of Decision: 12.01.2023

Navjot Sharma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Akshay Bansal, Advocate for the petitioner.
Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

The present petition has been filed under Section 482 Cr.P.C. for quashing the impugned FIR No.17, dated 18.03.2022, registered u/s 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 (379 IPC added later on) at Police Station Talwara, District Hoshiarpur, Punjab.

Petitioner seeks quashing of the above mentioned above on the ground that no offence is made out against him.

Counsel for the State opposes the petition.

At this stage, counsel for the petitioner submits that he would be contended and satisfied in case he may be permitted to raise all his points, which have been raised in the present petition, at the time of framing of charges before the trial Court provided that the concerned trial Court answers all the arguments raised by passing a reasoned order in accordance with law.

The prayer is innocuous because framing of charges cannot be an empty formality but an application of mind by the trial Court.

Given above, the petitioner is at liberty to raise all his points raised before this Court, before the trial Court at the time of framing of charges, the concerned Court shall advert to all his points. Further liberty is reserved to the petitioner to challenge the order of framing charges, if so passed by the trial Court. It is clarified that process for framing of charges be completed within four months.

Petition is partly allowed to the extent mentioned above. All pending application(s), if any, stand disposed of.

**(ANOOP CHITKARA)
JUDGE**

12.01.2023
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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no