

116 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2245-2023

Date of Decision: January 17, 2023

KEWAL KRISHAN

....Petitioner(s)

VERSUS

CBI AND ANR

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parveen Kumar Garg, Advocate
for the petitioner.

ANOOP CHITKARA, J.(ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.RCCHG2006A0003 dated 07.01.2006 under Section 13(2) read with Section 13(1)(d) of PC Act, 1988 (Annexure P-1) registered at ACB, Chandigarh along with all consnequential and subsequent proceedings arising out of the same.

Petitioner seeks quashing of the above mentioned FIR on the ground that the entire money has been returned before the trial Court.

After arguing for some time, 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 him while passing the order qua framing of charges.

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 disposed of with aforesaid observations. All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

17.01.2023
Sangeeta

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