

CRM-M-5728-2023

Date of decision: 06.02.2023

Baninder Singh

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**Present:** Mr. Gaurav Datta, Advocate
for the petitioner.**NAMIT KUMAR, J. (ORAL)**

This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.150 dated 24.07.2019 under Sections 406/420/120-B of IPC registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom.

Learned counsel for the petitioner has referred to the order dated 09.09.2022 passed in CRM-M-33874-2020 titled as 'Kirandeep Kaur Vs. State of Punjab and another' which was disposed off with the following observations:-

3. This Court has considered the submissions made on behalf of learned counsel for the petitioner and also the learned State counsel.
4. Since it has been informed that the matter is now fixed before the trial Court to consider the framing of charges on 19.12.2022, this Court deems appropriate that the petitioner raises all the pleas, as have been raised herein, before the trial Court at the time of consideration of framing of charges.
5. Since the case of the petitioner is specific to the effect that there is no evidence against her to establish her complicity and has been involved simply to pressurize the main accused Satbir Singh, who happens to be her husband, it is directed that the trial Court shall pass a detailed order in respect of the contentions, as may be raised on behalf of the petitioner specifically as regards the contention of the petitioner that there is no concrete evidence to establish her involvement in the commission of alleged offence. The trial Court shall examine as to what evidence the prosecution is relying up in its report under Section 173 (2) Cr.P.C. and as to whether there is any evidence in the shape of CCTV footage/s, which may have been collected from the Bank etc.
6. With the above observations and directions, the instant petition stands disposed of.

After arguing the case for some time, learned counsel for the petitioner wishes to withdraw the present petition with liberty to take all the pleas, as has been raised in the present petition, before the learned trial

Court.

Dismissed as withdrawn with liberty aforesaid.

06.02.2023

Neha

(NAMIT KUMAR)
JUDGE

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