

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CRM-M-6414-2020

Date of Decision : July 12, 2023

Kiran

.. Petitioner

Versus

State of Punjab and another

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.S. Mahal, Advocate, for the petitioner.

Mr. Jaswinder Singh Arora, Deputy Advocate General,
Punjab.

Mr. Harminder Singh, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that filing of the FIR at the hands of the complainant who is serving as a DSP in Punjab Police, is total abuse of process of law as the petitioner had done no wrong and has been falsely implicated in the allegations alleged in the FIR.

2. Learned State counsel, on the instructions from ASI Surinder Singh, submits that as the challan has already been presented after the investigation, the petitioner is at liberty to raise all the objections with regard to the findings recorded by the investigating agency in the challan presented before the trial Court.

3. Learned counsel for the petitioner submits that keeping in view the statement made by the learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to raise all the objections qua the challan submitted for the consideration of the trial Court.

4. Learned counsel for the petitioner further submits that the trial Court be directed to take into consideration the factum that the petitioner is being falsely implicated at the hands of DSP in the Punjab Police keeping in view the marital discord. This Court has no hesitation that all the objections raised by the petitioner qua the challan will be considered by the trial Court while considering the challan as to whether the charges are to be framed or not.

5. As prayed for, the present petition is disposed of having been not pressed with liberty prayed for.

July 12, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No