

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

281+284

CRM-M-9856-2022 (O&M)
Date of Decision: 19.01.2023

Pritam Singh

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Akshay Jindal, Advocate for respondent No.2.

ANOOP CHITKARA, J.

Learned State counsel submits that the charges have been framed.

Since the judicial order has been passed which has eclipsed the police report under Section 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.

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 before the trial Court, which have been raised in the present petition.

Consequently, the present petition is disposed of with liberty to the petitioner to raise all points before the trial Court. It is further clarified that the petitioner is at liberty to file a petition for challenging the framing of charges, if so desired. 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.

Pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)
JUDGE**

19.01.2023
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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no