

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-22649-2018
Reserved on: 09.02.2023
Pronounced on: 27.04.2023

Rajesh KumarPetitioner

Vs.

Chanan Ram and othersRespondents

CRM-M-34898-2018

Brijesh KapoorPetitioner

Vs.

Chanan Ram and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rohit Mittal, Advocate for the petitioner(s).

Mr. Arihant Jain, Advocate
for respondent No.1.

ANOOP CHITKARA J.

This order shall dispose of two petitions as mentioned above.

1. Seeking quashing of summons issued in the complaint filed by Chanan Ram, the accused had come up before this Court under Section 482 CrPC.
2. The present petition bears the filing date as 30.05.2018 wherein the prayer was to quash the summons whereas it was well within the knowledge of the petitioner that charges had already been framed on 09.05.2016. Perusal of the petition and the prayer, nowhere specifically mentions that the petitioner wanted to challenge the charges. In fact the petitioner had filed a separate petition against charges before the Sessions Court which was allowed and the matter was remanded back to the trial Court. Challenging the said order of remand the complainant-Chanan Ram had come to this Court and vide judgment of the even date passed in CRM-M-23304-2017, this Court upheld the order passed by the Sessions Court and has also ordered the trial to be expedited.
3. Thus, in the entirety of facts and circumstances of the case, the present petition is not maintainable and dismissed because the charges were framed which were separately challenged by the accused/petitioner himself and matter has been referred to the

trial Court for re-consideration on the point of charges. it is clarified that the trial Court would give ample opportunity and fair hearing to the accused before passing of the order of framing of charges. The parties are directed to appear before the concerned Court on 15.05.2023. The trial Court to expedite the trial on priority preferably till 15.08.2023 and not later than end of this year.

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

27.04.2023
anju rani

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