

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

CRM-M-23304-2017

Reserved on: 09.02.2023

Pronounced on: 27.04.2023

Chanan Ram (through LRs)

.....Petitioner

Vs.

Brijesh Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arihant Jain, Advocate and
Mr. Varun Jain, Advocate for the petitioner(s).

Mr. Rohit Mittal, Advocate
for respondents No.1 & 2.

ANOOP CHITKARA J.

Feeling aggrieved by the order dated 21.03.2017, passed by the Additional Sessions Judge, Patiala, whereby the charges framed against the accused (respondents No.1 to 4 herein) were quashed and set aside and the trial Court was directed to re-consider the order of framing of charges, the complainant has come up before this Court.

2. On 09.05.2016, learned SDJM directed the framing of charges by observing that the perusal of the complaint, documents attached with it and evidence led by the complainant prima facie made out a case against accused under Sections 420, 467, 468, 471 read with Section 120-B IPC and accordingly frame charges against them.

3. Aggrieved by this order, the accused had filed a revision petition before the Sessions Court, who vide order dated 21.03.2017 set aside the order of framing of charges remanding the matter back to the trial Court. Aggrieved by the same, the complainant had come up before this Court.

4. I have heard counsel for the parties and gone through the record. Perusal of the order of framing of charges reveals that although the trial Court referred to the complaint and stated that it had perused the complete documents but did not give any reasons that what was in the complaint which led the framing of charges. In revision petition, the trial Court rightly observed that it was the duty of the trial court to discuss atleast little bit of evidence based on which charges were being framed.

5. Given above, there is no illegality in the order dated 21.03.2017, passed by the learned Additional Sessions Judge, Patiala, who had discussed the reasoning in detail in para

7 of the said order, with which I fully concur.

6. Given above, there is no merit in the petition and the same is dismissed. The parties are directed to appear before the concerned Court on 15.05.2023. There is a lot of delay in decision of this case, as such the trial is directed 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
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Whether speaking/reasoned: Yes
Whether reportable: **No.**