

CRR-1589-2022 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-1589-2022 (O & M)
Date of decision: 14.03.2023

Joginder @ Jagga and ors.

... Petitioners

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. K.D.S. Hooda, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present revision petition is against the order framing charges and the charge sheet dated 13.10.2021 passed by the Additional Sessions Judge, Kaithal whereby the charges have been framed under Sections 302, 34, 201 IPC against the petitioners.

Initially, the petitioners had approached this Court by way of a revision petition bearing No. CRR-1444-2021. On 15.07.2022, the following order was passed by this Court:-

"CRM-23424-2022"

This is an application filed under Section 482 Cr.P.C. for preponing the date of hearing in the case i.e. fixed for 13.10.2022.

Notice in the application.

Mr. Vikrant Pamboo, DAG, Haryana accepts notice on behalf of the respondent-State.

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For the reasons mentioned in the application, the same is allowed and the date of hearing is preponed from 13.10.2022 to that of today and the matter is taken up on board today itself.

CRR-1444-2021

The learned counsel for the petitioners seeks permission to withdraw the present revision petition.

Dismissed as withdrawn. ”

A number of grounds have been raised in the present petition regarding the absence of motive qua the petitioners, their disclosure statement exculpating them and the challan not revealing any substantial evidence against them. However, as per settled law, grave suspicion is sufficient to frame charges. Further, once the earlier petition stood withdrawn after lengthy arguments, there is no requirement for the Court to go into the factual aspects highlighted in the petition once again.

In addition, the learned counsel for the State has also brought to the notice of the Court that 02 out of the 24 prosecution witnesses already stand examined.

In view of the fact that the earlier petition was ordered to be dismissed as withdrawn and the recording of the prosecution evidence has begun, I find no reason to interfere in the impugned orders, and therefore, the present petition stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

March 14, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No