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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.20371 of 2020

Date of decision : 01.08.2023

Harpreet Singh

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S BHARDWAJ

Present :- None for the petitioner.
Ms. Lavanya Paul, DAG, Punjab.

VINOD S BHARDWAJ, J. (ORAL)

Present petition has been filed for seeking directions to the respondents to register FIR for the offences under Sections 302,34,120-B IPC instead of Sections 304-A/279/427 IPC as the injury in question was caused on the head of the deceased.

Upon notice, a reply dated 18.03.2021 has been filed by way of affidavit of Daljit Singh Virk, PPS, DSP, Dakha, District Ludhiana (Rural) as per which inquiry was conducted by the DSP, Dakha on the application and a report was submitted on 05.01.2021 to the S.S.P, Ludhiana (Rural). FIR No.116 dated 27.07.2020 under Sections 279,304-A,427 IPC was thereafter registered against the accused Tony Kumar.

Learned State counsel, on instructions from ASI Subhash Chand, has apprised the Court that Final report under Section 173 Cr.P.C already stands filed against the said accused on 14.10.2020. Charge has already been framed on 01.03.2021. She further contends that the petitioner has an alternative remedy

under law against the order framing charge. Even in response to the said reply, the petitioner has chosen not to file any response.

In my opinion, an alternative and equally efficacious remedy in law is available to the petitioner so as to challenge the validity of the said order dated 01.03.2021 framing charges against him, if he feels aggrieved of the same.

Present petition is accordingly disposed of as having been rendered infructuous, at this stage. The petitioner is, however, set at liberty to take recourse to the alternative statutory remedy for seeking redressal of his grievance against the order framing charge, if any.

August 01, 2023
manoj

(VINOD S BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable : No