

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

257(2)

CRM-M-42420-2020
Date of Decision: 16.02.2023

Pardeep and others Petitioners
Versus
State of Punjab and others Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Sandeep Bansal, Advocate for the petitioners.
Mr. Sinish Girdhar, AAG, Punjab.
Mr. Gaurav Mohunta, Advocate for respondents No. 2 & 3.

ANOOP CHITKARA, J. (ORAL)

Counsel for the complainant has objected to the maintainability of the present petition on the ground that charges have been framed which was not challenged and in fact, the present petition was filed prior to framing of charges.

Needless to say that once a judicial order of framing of charges is passed, then it has to be challenged separately and the FIR merges with the same.

At this stage, counsel for the petitioners submits that he would be contented and satisfied in case he be permitted to raise all these points at the time of final arguments before the trial Court.

The prayer being innocuous and the same is allowed.

Given above, the present petition stand disposed of and the petitioners are permitted to refer all these points at the time of final arguments and trial Court shall refer to all of them.

It is further clarified that in case, the petitioners now want to challenge the charges, at this stage, the time for which the present petition was pending before this Court shall not be counted for the purpose of limitation.

(ANOOP CHITKARA)
JUDGE

16.02.2023
Jyoti-II

JYOTI
2023.02.21 09:42
I attest to the accuracy and
integrity of this order/judgment.

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No