

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

113

CRM-M-56159-2022

Date of Decision: February 13, 2023

**Dalwinder @ Bittu**

.....Petitioner(s)

**Vs.**

**State of Punjab and others**

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Tushar Wadhawa, Advocate for the petitioner.

Mr. Virat Rana, AAG, Punjab

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**ANOOP CHITKARA J. (ORAL)**

Seeking quashing of FIR No.135, dated 27.05.2020, registered at Police Station City Kharar, District SAS Nagar, Mohali, under Sections 21, 25, 29 of NDPS Act, the petitioner had come up before this Court by filing the present petition under Section 482 Cr.P.C.

Counsel for the State opposing the present petition by submitting that after filing of the present petition, charges have been framed. Once judicial order has been passed and charges have been framed, it becomes mandatory to challenge judicial order which has overwritten the police report.

Counsel for the petitioner submits that he is contesting this petition even before framing of charges and he is not responsible for the delay, which was not on his part.

Given above, the present petition is disposed of with liberty to the petitioner to file fresh petition challenging the framing of charges, if so desires by raising all the points he has been mentioned in the present petition.

It is clarified that the time for which the present petition is pending before this Court, shall not be counted for the purpose of limitation as such, limitation period will start from today i.e. 13.02.2023.

All pending application(s), if any, stand disposed of.

**(ANOOP CHITKARA)  
JUDGE**

**February 13, 2023**

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