

107    **IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-55033-2019  
Decided on : 25.01.2023

Ram Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present :    Mr. Dushant Rana, Advocate for  
                 Mr. Saurabh Sharma, Advocate  
                 for the petitioner.

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**Manjari Nehru Kaul, J.(Oral)**

Request for adjournment has yet again been made on behalf of  
the arguing counsel.

It would be pertinent to reproduce all the orders ever since the  
present petition was filed way back in the year 2019, which are as under:

*Present:    Mr. Saurabh Sharma, Advocate  
                 for the petitioner.*

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*Learned counsel for the petitioner  
seeks some time to address the arguments.*

*On request, adjourned to 24.02.2020.*

20.12.2019

sd/-

*Present:    Mr. Saurabh Sharma, Advocate  
                 for the petitioner.*

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*Learned counsel for the petitioner  
prays for a short accommodation.*

*Adjourned to 05.03.2020.*

24.02.2020

*sd/-*

*Present: Mr. Saurabh Sharma, Advocate  
for the petitioner.*

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*At the request of learned counsel for  
the petitioner, adjourned to 17.04.2020.*

05.03.2020

*sd/-*

*Present: Mr. Saurabh Sharma, Advocate  
for the petitioner.*

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*On request, adjourned to 17.10.2022.*

28.07.2022

*sd/-*

*Present: Mr. Saleem Ahmad, Advocate for  
Mr. Saurabh Sharma, Advocate  
for the petitioner.*

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*Mr. Saleem Ahmad, learned counsel  
appearing for the petitioner on behalf of the  
petitioner has sought an adjournment on the  
ground that the arguing counsel is suffering from  
fever.*

*Adjourned to 25.01.2023.*

17.10.2022

*sd/-*

A perusal of the above orders clearly reveal that on one pretext or the other adjournments have been sought by the learned counsel for the petitioner.

Admittedly, the instant petition has been pending for the last

four years. Hence, this Court does not deem it appropriate to adjourn the case any further.

The petitioner is impugning the order dated 13.10.2018 (Annexure P-2) vide which charges were framed against him under Sections 406, 420, 506 r/w 120-B IPC.

Learned State counsel has vehemently opposed the prayer made by the petitioner for setting aside the impugned order, more so, when the prosecution evidence is underway. Learned counsel further submits that even otherwise on the basis of the material collected by the investigating agency commission of offence under Sections 406, 420, 506 r/w 120-B IPC is clearly made out and hence, the impugned order does not warrant any interference.

Heard

At the time of framing of charges, the Court is to just confine itself to the evaluation of material produced before it by the investigating agency with the sole purpose to judge if a *prima facie* case is made out for attracting the mischief of the alleged offence(s) or not.

This Court, in the circumstances, would loathe to exercise its inherent powers under Section 482 Cr.PC and set aside the impugned order (Annexure P-2) as no patent illegality can be found in it. The complainant has levelled specific allegations in the FIR in question of cheating, criminal breach of trust and criminal intimidation against all the accused including the petitioner. Whether the petitioner has been falsely implicated or not would be a matter of trial and would be appreciated by the trial court when evidence is led by the parties.

As a sequel to the above, instant petition being devoid of any merit, stands dismissed.

(MANJARI NEHRU KAUL)  
JUDGE

25.01.2023  
*sonia*

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable :       | Yes/No |