

CRM-M-5886-2024

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2024:PHHC:019672

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-5886-2024

Date of decision : 13.02.2024

Gurmeet Singh @ Meet Hayer and others

... Petitioners

Versus

State of U. T. Chandigarh and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ferry Sofat, Advocate
for the petitioners.

Mr.Manish Bansal, PP, with
Ms.Diksha Sharma, Advocate
for the respondent-U.T. Chandigarh.

VIKAS BAHL, J.(ORAL)

1. This is a petition under Section 482 Cr.P.C. for quashing of the FIR no.0324 dated 24.10.2020 (Annexure P-1) registered under Section 188 IPC at Police Station Sector 39, District Chandigarh as well as for quashing of the challan dated 25.05.2021 (Annexure P-2) and also the order dated 28.02.2023 (Annexure P-3) vide which the charges were framed against the present petitioners.

2. Learned counsel for the petitioners has submitted that in CWP-PIL-29-2021 and CWP-PIL-112-2023 titled as “Court on its own motion (in Re-designated Courts for MP's / MLA's) vs. State of Punjab and others”, the Hon'ble Division Bench of this Court was pleased to pass the detailed order 09.02.2024, the relevant portion of which is reproduced hereinbelow:-

*“While considering the issue of invoking our power under Article
226 of the Constitution of India to quash these proceedings, we deem it*

appropriate as an interim measure, to direct that the further proceedings in cases registered under Sections 188, 269, 270 IPC read with Section 3 of the Epidemic Diseases Act, 1897 and Section 51 of the Disaster Management Act, 2005 without invoking other provisions of the IPC or other penal enactments would remain stayed till the next date of hearing.

List on 14.03.2024.

Photocopy of this order be placed in the connected file.

(ANUPINDER SINGH GREWAL)
JUDGE

(KIRTI SINGH)
JUDGE

09.02.2024”

Learned counsel for the petitioners has further submitted that in view of the said order, all the proceedings have been stayed and thus, prays that the present petition be disposed of at this stage with liberty to file a fresh petition in case any cause survives at subsequent stage.

3. Learned counsel for U.T. has not disputed the passing of the order dated 09.02.2024 by the Hon'ble Division Bench.
4. Keeping in view the abovesaid facts and circumstances, the present petition is disposed of at this stage, with liberty to the petitioners to file a fresh petition in case any cause survives for the petitioners to agitate.

(VIKAS BAHL)
JUDGE

February 13, 2024
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No