



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264

CRM-M-20155-2018

Date of Decision : September 03, 2024

VIJAY SHARMA AND ANR

.....Petitioners

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pawan Kumar, Sr. Advocate assisted by
Ms. Vidushi Kumar, Advocate for the petitioners.
Mr. Abhinash Jain, DAG, Haryana.
Mr. Akshay Jindal, Advocate for respondents No.6 and 7.

KULDEEP TIWARI, J. (Oral)

1. Having aggrieved for registration of FIR No.0073 dated 30.7.2017, registered under Sections 323, 341, 506 IPC at Police Station Jhansa, District Kurukshetra (Haryana), the petitioners have approached this Court by invoking the provisions under Section 482 Cr.P.C., by filing the instant petition with a prayer for quashing of the above FIR, as well as for taking action against the private respondents No. 6 and 7 on the basis of the allegations as find mentioned in the representations Annexures P-6 and P-7.

2. In the asking for the first relief, the learned counsel for the petitioners submits that it is inact a counter blast case, whereas, the petitioners have suffered numerous injuries at the hands of the private respondents and the police officials.



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3. All the issues, which have been raised by the petitioners through the instant petition are infact disputed questions of facts. Further, it transpired during hearing that the charges have already been framed by the learned trial Court concerned on dated 28.8.2017. This Court under Section 482 Cr.P.C., cannot adjudicate such issues which are purely disputed questions of facts.

4. Considering the supervening events, that the charges have already been framed, this Court refrains itself from exercising such powers to grant the relief of quashing the FIR (supra), however, liberty is reserved to the petitioners to raise all such pleas, as raised through the instant petition before an appropriate forum/Court at an appropriate stage.

5. So far as the second prayer is concerned, it is a misconceived motion. The petitioners can very well approach the learned Magistrate concerned under the apt provisions of law, however, instead of approaching the learned Magistrate concerned, the instant motion has been filed, which is infact not maintainable, however, liberty is reserved to the petitioners to approach the learned Magistrate concerned by filing apt motion.

6. **Disposed** of accordingly.

September 03, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No