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

CRM-M-16839-2024

Date of decision: 25.04.2024

Sarup Chand Singla and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Siddharth Gupta, Advocate for the petitioners.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.48 dated 23.06.2020 registered under Sections 188, 269, 270 of the Indian Penal Code, 1860 and Section 51 of the Disaster Management Act, 2005, at Police Station SGN Dev Thermal Plant, District Bathinda, along with all other subsequent proceedings arising therefrom.
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.

Sd/- (ANUPINDER SINGH GREWAL)

JUDGE

Sd/- (KIRTI SINGH)

JUDGE

09.02.2024”

3. 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. Learned counsel for the petitioners, however, has made a limited prayer that till the time the matter is not finally decided by the Division Bench of this Court and till the time the stay on proceedings are continuing, the personal appearance of the petitioners be exempted.

4. Learned State Counsel has not been able to dispute the passing of the order dated 09.02.2024 by the Division Bench of this Court and that the said order is applicable in the present case also.

5. 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.

6. It is made clear that till the time the stay order passed by the Division Bench of this Court in CWP-PIL-29-2021 and CWP-PIL-112-2023 is in operation, the personal appearance of the petitioners would be exempted.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

25.04.2024
Pawan

(VIKAS BAHL)
JUDGE

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