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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46607 of 2017 (O&M)
Date of Decision: 29.11.2024

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Amrita Nagpal, Advocate for the petitioner.

Mr. Aashish Bishnoi, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
236	23.03.2016	Civil Lines, Karnal	120-B, 420, 467, 468, 471 IPC, 1860

1. Seeking quashing of the FIR captioned captioned above, the petitioner has come up before this Court under Section 482, Cr.P.C..
2. A perusal of the petition reveals that prayer in the present petition is only qua quashing of FIR captioned above.
3. However, State counsel submits that the charges have been framed and statements of prosecution witnesses (PWs) have been recorded. Since the petitioner seeks only quashing of FIR and once a judicial order has been passed framing the charges, that judicial order must be explicitly challenged which has not been done in the present case, for the reasons, that the present petition was filed prior to framing of charges, rendering the present petition not maintainable.

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4. Given above, the present petition is disposed of, with liberty reserved to the petitioner to file fresh petition challenging the orders whereby charges against the petitioner have been framed. It is clarified that the time for which the present petition remained pending in this Court, shall not be counted for the purpose of limitation. All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.11.2024
Sonia Puri

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