



CRM-M-27526 of 2024

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27526 of 2024(O&M)
Date of Decision: 28.05.2024

Navneet Sond
...Petitioner

Versus

State of Punjab
...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Mandeep Kumar Dhot, Advocate
For the petitioner.

Mr. J.S. Dhaliwal, AAG Punjab.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking quashing of order dated 08.05.2024 (Annexure P-4) passed by the Court of Judicial Magistrate Ist Class, Malerkotla, whereby the application filed by the petitioner seeking issuance of certified copies of FIR No. 58 of 2018, copy of order dated 17.10.2023 and copy of charge-sheet served against Tahir Ali, M.C., has been declined on the ground that petitioner is a third party to the above-said proceedings and thus is not entitled to get the certified copies of aforesaid documents.

2. The counsel for the petitioner further submits that the said order has been passed by the aforesaid Court in contravention of the provisions of Chapter-17 of Punjab Civil & Criminal Courts Preparation and Supply of Copies of Records Rules, 1965 (in short, Rules of 1965). It is further submitted that another Court at Malerkotla has allowed similar application



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moved by the petitioner vide order (Annexure P-3) by placing reliance upon the aforesaid Rules of 1965. The counsel for the petitioner further submits that the present petition be disposed of with direction to the Court concerned to deal with the matter in accordance with the aforementioned Rules of 1965.

3. Notice of motion.
4. Mr. J.S. Dhaliwal, AAG Punjab accepts notice on behalf of the State and submits that the present petition may be disposed of with direction to the Court concerned to pass afresh decision in light of the Rules of 1965, which are referred by counsel for the petitioner.
5. From the perusal of impugned order (Annexure P-4) it appears that while passing the said order the Court of Judicial Magistrate Ist Class concerned has not referred to aforesaid Rules of 1965 and dismissed the application of the petitioner without going through the said Rules by simply saying that the petitioner is a third party to the proceedings in question. In the given circumstances the impugned order (Annexure P-4) is not sustainable and deserves to be set aside.
6. In light of above, without expressing any opinion on the merits of the case the present petition is hereby disposed of and the impugned order is set aside with direction to the Court concerned to decide the matter afresh in light of the Rules of 1965, within a period of next 15 days of receipt of certified copy of this order.

28.05.2024
Jiten

(KARAMJIT SINGH)
JUDGE

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