2024:PHHC:084105

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

142 **CRM-M-31815-2024**
Date of Decision: 08.07.2024

Sukhdev Singh ....Petitioner

Versus

State of Punjab ....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
98	06.06.2017	City Gurdaspur, District Gurdaspur	420, 406 & 409 IPC (Sections 7, 13(1)A of PC Act added later on)

Seeking quashing of the impugned order dated 15.05.2024 (Annexure P-4), passed by the Special Judge, Gurdaspur in the FIR captioned above, whereby the discharge application has wrongly been dismissed and charges have been framed against the petitioner.

2. Perusal of the file shows that after filing of police report under Section 173(2) CrPC, the trial Court had framed charges against the petitioner on 15.05.2024. The copy of the said chargesheet is annexed here as Annexure P-5. The order of framing of charges is not interlocutory order and once there is statutory remedy, it is not permissible to take such remedy under Section 482 CrPC.

3. At this stage, petitioner's counsel seeks permission to withdraw the present petition with liberty to file a fresh under the appropriate statute whether under CrPC or Bharatiya Nagarik Suraksha Sanhita 2023 (in short BNSS 2023).

4. Given above, petition is disposed of as withdrawn with liberty as prayed for. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

08.07.2024
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Whether speaking/reasoned Yes
Whether reportable? No

ANJU RANI
2024.07.10 10:36
I attest to the accuracy and integrity of this document
Punjab and Haryana High Court
Chandigarh