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CRM-M-31927-2024

Decided on: 08.07.2024

Jashanpreet Singh @ J.P.

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

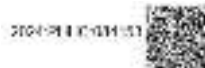
Present: Mr. Jagdish Singh Mahal, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

GD No.	Dated	Police Station	Sections
27	24.05.2022	Ghuman Kalan, District Gurdaspur	326, 323, 324, 506, 148, 149 IPC
In FIR No.0023	24.05.2022	Ghuman Kalan, District Gurdaspur	326, 323, 324, 379, 506, 148 & 149 IPC

1. Seeking quashing of the cross case, as mentioned above, petitioner has come up before this Court by filing the present petition under Section 482 CrPC.
2. The nature of the order this Court proposes to pass no notice is required to be issued to the respondents.
3. Counsel for the petitioner submits that petitioner was arrayed as accused in the above said FIR and a thorough inquiry was conducted and he was declared as innocent vide inquiry report (Ex. P3) conducted by the higher officer. Report u/s 173 CrPC against the other accused was fixed initially and later on supplementary report qua petitioner was filed and trial Court kept the same pending with the main challan and pendency of FIR till the acceptance of report qua petitioner is effecting him. Petitioner also submits that he would be contented and satisfied if the trial Court is asked to take final decision on the same in the shortest possible time. He further submits that the matter is fixed



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before the JMIC, Gurdaspur on 10.07.2024. Counsel further submits that petitioner is out of India and he be permitted to appear through counsel for representing the case, as no notice was issued to him or complainant on this supplementary report.

4. In the entirety of facts and circumstances of the case and considering the fact that main cases regarding same incident, is pending with which report qua petitioner as also annexed vide order dated 03.06.2023. As such, petitioner is permitted to appear through counsel before the concerned JMIC, Gurdaspur, on 10.07.2024 and on subsequent dates till decision on the said report is taken by the concerned Court. It is clarified that counsel for the petitioner shall not delay in appearing and petitioner shall not claim any prejudice in this regard. The concerned JMIC is requested to take final decision on priority on the report filed qua the petitioner, as State has no objection to this order because report prepared by the State is in favour of petitioner, however State is also requested not to seek unnecessary adjournment.

5. Petition is partly allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

08.07.2024

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Whether speaking/reasoned: Yes

Whether reportable: No.