

124

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.32584 of 2024 (O&M)
Date of Decision: 18.07.2024

Daljit Kaur

...Petitioner

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. S.P.S. Khaira, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
12	15.02.2022	Singh Bhagwantpur, District Rupnagar	406, 420, IPC

1. Seeking quashing of the FIR captioned above and all consequential proceedings arising therefrom, the petitioner has come up before this Court under Section 482, Cr.P.C.
2. Notice served upon the official respondent through State counsel.
3. Counsel for the State on instructions submits that the petitioner seeks quashing of FIR, however, charges have been framed on 29.09.2022 and 02 PWs have already been examined whereas 04 PWs have been given up and the next date of hearing before the trial Court is 08.08.2024. She submits that 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 after framing of charges, as such the present petition is not maintainable.
4. On this, counsel for the petitioner intends to withdraw the present petition with liberty to file fresh petition and also that the time for which the present petition remained pending in this Court, shall not be counted for the purpose of limitation.



CRM-M-32584-2024

5. Given above, the present petition is hereby, disposed of, as withdrawn with liberty to file fresh challenging the charges in accordance with law. The period for which present petition remained pending shall not be counted for the purpose of limitation. Petitioner shall also have liberty to raise all the points at the stage of availing legal remedy under Section 268 of Bharatiya Nagarik Suraksha Sanhita (BNSS) or/ and Section 351 of Bharatiya Nagarik Suraksha Sanhita (BNSS). All pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.07.2024
Sonia Puri
Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No.