



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40053-2024 (O&M)
Date of order: 28.08.2024

Sukhmander Singh
... Petitioner(s)
Versus
State of Punjab & others
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Manpreet Singh, Advocate
for the petitioner(s).
Ms. Swati Batra, DAG, Punjab (Through VC),

ANOOP CHITKARA, J.

1. The petitioner is aggrieved by absence of decision on the multiple representations made by him, in which he was pleading his innocence. He submits that the concerned authority(ies) did not take any decision on his representation(s) and rather, the police report was filed under Section 173(2) CrPC.
2. Reply filed on behalf of respondent-State in Court is taken on record.
3. State's counsel submits that charges were framed on 20.01.2024 and the matter is fixed for prosecution evidence on 09.09.2024.
4. Considering the nature of allegations and more particularly, that the petitioner was a legal representative of his wife and on the face of it, there was absence of motive available for the petitioner because he was her successor, it shall be permissible for the petitioner to challenge the charges before the Sessions Court. Further proceedings before the trial Court shall remain stayed till 30.09.2024 to enable the petitioner to challenge the charges. However, it is clarified that if the petitioner does not file an appropriate petition for challenging the charges before the Sessions Court, this order of stay of proceedings before the trial Court shall stand recalled automatically. But in case the petitioner files a petition challenging the framing of charges, further stay of proceedings before the trial Court shall be subject to the order

passed by the appropriate Court before whom the framing of charges have been challenged.

5. The petition is disposed of. All pending application(s), if any, shall stand disposed of.

(ANOOP CHITKARA)
JUDGE

August 28, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No