

CRM-M-61118-2023 (O&M)
Decided on: 11.01.2024

Deepak Bala

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amandeep Singh Jawandha, Advocate
for the petitioner.

Ms. Swati Batra, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
69	28.06.2022	Nurpur Bedi, District Rupnagar	420, 465, 467, 468, 471, 120-B IPC (Sections 7, 7A, 8, 13 of PC Act added later on)

CRM-53345-2023

Allowed, as prayed for. Copy of Civil Suit No.710 dated 29.09.2022 as Annexure P-12, is taken on record.

Main case

1. Seeking quashing of the above captioned FIR, the petitioner, who is a woman had come up before this Court by filing the present petition under Section 482 CrPC.
2. I have heard counsel for the petitioner and gone through the record for the purpose that whether the petition is worthy for issuance of notices or not.
3. Petitioner’s counsel submits that even if all the allegations of FIR are taken on the face value no case is made out. However on the query of this Court, petitioner’s counsel could not reply that what about the material, which has been collected during the investigation based on the FIR. He further submits that perusal of report under Section 173 CrPC does not make out any case against the petitioner.
4. State on instructions submits that there is enough material against the petitioner and it is not a case for disrupting the criminal proceedings at this stage. She further

submits that charges are yet to frame and petitioner can agitate his grievance before the trial Court or is at liberty to file application for discharge.

5. After arguing for some time, petitioner’s counsel submits that he be permitted to file discharge application and to raise all the points in the said discharge application and direction be issued to the concerned Court to answer each and every point at the time of deciding the such application for discharge.

6. In the entirety of facts and circumstances of the case, it is directed that in case the petitioner files an application for discharge then all such relevant points will be decided. Further in case, the petitioner does not file any application for discharge, the concerned Court shall carefully look into evidence against the petitioner before proceed to frame charges. Liberty reserved to challenge the charges if framed.

7. Petition is disposed of with the aforesaid observations. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

11.01.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.