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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 57094 of 2024

Date of Decision: 25.11.2024

Lakhwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:

HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:

Mr. A.S. Jawandha, Advocate

for the petitioner.

Ms. Swati Batra, D.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
183	08.08.2020	Sadar Nabha, District Patiala	353, 186, 506 IPC

1. Seeking quashing of the FIR captioned above, report under Section 173 CrPC and challan dated 23.02.2022, the petitioner has come up before this Court under Section 528 BNSS, 2023.
2. State counsel submits that earlier the petitioner had filed CRR No.2022 of 2024 seeking quashing of order dated 11.07.2024 vide which trial Court dismissed the application under Section 239 CrPC but without challenging the charges, the said petition was disposed of as withdrawn vide order dated 18.10.2024. Now again, for the second time the petitioner has approached this Court but this time also, charges have not been challenged. State counsel further submits that she has specific instructions that charges have been framed, as such the present petition is not maintainable because the order of framing of charges is required to be challenged explicitly.
3. Given above, the present petition is dismissed with clarification that in case petitioner challenges the order of framing of charges, then the time for which the present petition was pending before this Court shall not be counted for the purpose of limitation. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)

JUDGE

25.11.2024

Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.