



CRM-M-28441-2024 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-28441-2024 (O&M)

Date of decision : 22.05.2025

Jagjit Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. A.K.Khunger, Advocate for the petitioner.

Mr. H.S.Wadhwa, DAG, Punjab.

H.S. Grewal, J.(Oral)

1. This petition has been filed for quashing of case FIR No. 81 dated 21.05.2022 under Sections 223, 224 IPC registered at Police Station Gidderbaha District Sri Muktsar Sahib along with all subsequent proceedings arising therefrom qua the petitioners.

2. Counsel for the petitioner submits that at the relevant time petitioner was working as Naib Court in the Court concerned and the only allegations against the petitioner are that he was unable to apprehend one Jaspal Kaur Matharu who escaped from custody, after her surrender before the Court concerned in a criminal complaint lodged against her under Section 138 of NI Act. Counsel for the petitioner submits that petitioner is not responsible for the escape of Jaspal Kaur Matharu from custody and at the time of said escape no lady police official was present in the Court who would have apprehended Jaspal Kaur Matharu. That one Pardeep Kumar Bansal who tried to take away the car of accused Jaspal Kaur Matharu was apprehended by the



petitioner on the same very day from the court complex and subsequently said Jaspal Kaur Matharu was also arrested by the police. He further submits that later on compromise was effected between the parties in aforesaid criminal case lodged against Jaspal kaur Matharu under Section 138 of NI Act. That in the given circumstances, continuity of proceedings against the petitioner in the impugned FIR registered under Section 223, 224 of IPC against the present petitioner, would amount to misuse of the process of law. He further submits that from the challan so filed, no offence has been made out against the petitioner.

3. Reply by way of affidavit has been filed by the learned State counsel and the same is taken on record. He submits that challan has been filed and the case is fixed for consideration on framing of charges.

4. I have heard the submissions made by the parties.

5. In view of the above, this Court deem it appropriate to dispose of the present petition with direction to the petitioner to avail the appropriate remedy and raise all the pleas available to him before the trial Court at the time of framing of charge. The petitioner is at liberty to move an application before the trial Court for his discharge and the trial Court is directed to pass a speaking order on the application so filed by the petitioner.

6. Petition stands disposed of.

(H.S.GREWAL)
JUDGE

22.05.2025

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