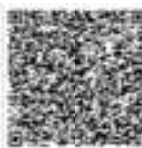


2026:PHHC:036121



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

SR. NO.107

CRM-M-40573-2022

DATE OF DECISION:10.03.2026

RAVI AND ANR.

...PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present: Mr.D.K. Tuteja, Advocate
for the petitioners (through VC)

Mr. Rajinder Kumar Banku, Sr. DAG, Haryana.

Mr. Rakesh Nehra, Advocate with
Mr. Rupender Singh, Advocate
for the complainant.

N.S. SHEKHAWAT, J.

The petitioners have filed the present petition with a prayer to quash the order dated 12.08.2022 (Annexure P-4) passed by the Court of Additional Sessions Judge, Rohtak, whereby charges under Sections 148/149/323/302 IPC were ordered to be framed against the petitioners.

The only argument raised by the learned counsel for the petitioners is that both the petitioners were summoned by the trial Court by invoking the powers under Section 319 Cr.P.C. and on their date of appearance before the trial Court itself, the trial Court had ordered the framing of charge against them, without following the mandatory provisions of Section 207 of Cr.P.C. and the impugned order is liable to be set aside only on this short ground alone.

I have heard the learned counsel for the parties and perused the case file.

Learned counsel for the parties are *ad idem* that the impugned order may be set aside with the consent of parties, as the mandatory provisions of Section 207 of Cr.P.C. have not been followed in the present case and the trial Court may be directed to reconsider the issue of framing of charge against the petitioners after complying with the provisions of Section 207 Cr.P.C.

In view of the above, the impugned order dated 12.08.2022 is ordered to be set aside. The petitioners are directed to appear before the trial Court on the date already fixed before it. On the said date, the trial Court shall direct the prosecution to supply two copies of charge-sheet to both the petitioners and the trial Court shall consider the issue of framing of charge within a period of one month thereafter. As the trial is pending since long, the trial Court is directed to conclude the trial expeditiously, in accordance with law.

Since this Court has not made any observations on the merits of the case, the trial Court shall consider the issue of framing of charge, on the strength of material available before the Court.

The present petition stands disposed off, accordingly.

10.03.2026
mks

(N.S.SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO