

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

(114)

CRM-M-28568-2015

Decided on: August 26, 2015.

Sandip Singh and others

.... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. R.S. Athwal, Advocate,
for the petitioners.

M.M.S. BEDI, J (ORAL)

This is a petition for quashing of an FIR under Section 376 IPC registered at the instance of respondent No.2, on the basis of compromise.

On asking of the Court, learned counsel for the petitioners informs that respondent No.2 has already furnished an affidavit Annexure P-3 and has also made a statement under Section 164 Cr.P.C. but the challan has not yet been presented by the investigating agency.

In view of above said circumstances where the prosecution agency has not opted to file report under Section 173 (2) Cr.P.C to try the petitioners, the present petition appears to be pre-mature.

Learned counsel for the petitioners at this stage seeks permission to withdraw the petition with liberty to file afresh on behalf of the accused and the complainant.

Disposed of as withdrawn.

**(M.M.S. BEDI)
JUDGE**

August 26, 2015
harsha