

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-D-263-DB-2015 (O&M)
Date of decision : January 18, 2016

K.....xxxx

.....Appellant

Versus

Jatinder Singh & another

.....Respondents

CORAM : HON'BLE MR.JUSTICE S.S. SARON
HON'BLE MR.JUSTICE GURMIT RAM

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

Present : Mr. S.S. Gill, Advocate
for the applicant/appellant.

S.S. SARON, J.

This appeal has been filed by the prosecutrix-appellant against the judgment and order dated 28.07.2014, vide which the learned Additional Sessions Judge, Ludhiana has acquitted respondent No.1 of the offences punishable under Sections 365, 328, 376 and 420 of the Indian Penal Code ("IPC"- for short) for which he was charged by the learned trial Court on 09.01.2013. Along with the appeal criminal miscellaneous No.5122 of 2015 has been filed seeking condonation of 30 days delay in filing the appeal.

Today when the case was taken up for hearing learned counsel appearing for the applicant/appellant has filed an affidavit of the appellant, which is taken on record.

The applicant/appellant has deposed that during the pendency of the appeal, her marriage has been solemnized and she is residing at her matrimonial home. Now she does not want to pursue the litigation because she is living peacefully at her matrimonial home.

It is submitted by learned counsel for the applicant/appellant that in view of the affidavit of the prosecutrix, he may be permitted to withdraw the appeal as also the application seeking condonation of delay in filing the appeal.

Accordingly, keeping in view the fact that the prosecutrix has settled in her matrimonial life and she does not want to pursue the appeal, it would be just and expedient to allow the prayer of learned counsel appearing for the applicant/appellant to withdraw the appeal and the application seeking condonation of 30 days delay in filing the appeal.

In the circumstances, the appeal and the application seeking condonation of 30 days delay in filing the appeal are dismissed as withdrawn.

(S.S. SARON)
JUDGE

(GURMIT RAM)
JUDGE

January 18, 2016
Gaurav Sorot