

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

**CRM-15845-2016 in / and
CRM-A-39-MA-2015
Date of decision : May 16, 2016**

Satpal Arora

.....Applicant

Versus

Gurbakshish & others

.....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. Sapan Dhir, Advocate
for the applicant.

S.S. SARON, J.

Satpal Arora-applicant filed criminal miscellaneous application (CRM-A-39-MA-2015) in terms of Section 378(4) of the Code of Criminal Procedure seeking leave to appeal against the acquittal of the respondents in terms of the impugned judgment and order dated 22.09.2014 passed by learned Additional Sessions Judge, Fast Track Court, Patiala.

The applicant filed a complaint against the respondents alleging commission of offences punishable under Sections 366, 364-A, 323, 392, 506 and 120-B of the Indian Penal Code ('IPC' - for short). The learned Additional Sessions Judge, Patiala initially summoned the respondents and charged them for committing the offences as aforementioned. The learned

Additional Sessions Judge, Fast Track Court, Patiala vide its judgment and order dated 22.09.2014 held that the case of the prosecution was not fully proved and it had not been able to establish its case beyond doubt. The prosecution evidence did not inspire confidence. After giving benefit of doubt, the respondents were acquitted of the charges framed.

The applicant as already noticed aggrieved against the same filed the present application for leave to appeal. During pendency of the application for leave to appeal, the criminal miscellaneous application (CRM-15845-2016) has been filed for withdrawing the application for leave to appeal. It is stated that both the parties have settled their dispute amicably with the intervention of respectables, now there is no dispute left amongst the parties. Therefore, the application for leave to appeal has been rendered infructuous and the applicant may be allowed to withdraw the same. Affidavit of the applicant-Satpal Arora in this regard has been filed with the criminal miscellaneous application seeking withdrawal of the application for leave to appeal.

In the circumstances criminal miscellaneous application (CRM-15845 of 2016) is allowed as prayed for and criminal miscellaneous application (CRM-A-39-MA-2015) seeking leave to appeal against the acquittal of the respondents is dismissed as withdrawn.

**(S.S. SARON)
JUDGE**

**(GURMIT RAM)
JUDGE**

May 16, 2016
Gaurav Sorot