

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-1600-2016 (O&M).

Decided on: January 22, 2016.

Lakhmir Singh and another

.. Petitioner(s)

VERSUS

State of Haryana and others

.. Respondent(s)

*** * ***

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

*** * ***

**PRESENT Mr.Tejinder Pal Singh, Advocate,
for the petitioners.**

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

Petitioners were arrayed as accused on the allegations of having cheated the complainant by receiving earnest money and not transferring the property.

During pendency of the petition under Section 438 Cr.P.C., the petitioner returned the earnest money on the assurance given on behalf of the complainant that he would withdraw the allegations on amount being returned to him.

Quashing of the proceedings qua petitioners has been prayed for alleging that the complainant is not coming forward for settlement or withdrawal of the criminal case.

On asking of the Court, it has been informed that the challan has not yet been presented in the case.

In view of said circumstances, this petition is disposed of as pre-mature, at this stage, with liberty to the petitioners to avail the legal remedy in case the prosecution agency opts to proceed against the petitioners by presenting challan.

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

**January 22, 2016.
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