

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

**Criminal Misc. No. M-30475 of 2016
Date of Decision:-30.08.2016**

Mahant Sukhdev Muni

...Petitioner

Versus

Mahant Kewal Dass

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Navjot Singh, Advocate
for the petitioner.

HARI PAL VERMA J.(Oral)

Petitioner Mahant Sukhdev Muni has approached this Court under Section 482 Cr.P.C. seeking quashing of criminal Complaint No.30 dated 22.4.2009 (Annexure P-1) and the summoning order dated 6.4.2013 (Annexure P-2) passed by the Chief Judicial Magistrate, Barnala, whereby the petitioner has been summoned to face trial under Sections 192, 196, 420, 467, 468 and 471 read with Section 34 IPC.

When confronted about the maintainability of the present petition without availing the statutory right of revision available to the petitioner, learned counsel for the petitioner states that he be permitted to withdraw the present revision petition, however, with a liberty to file revision petition against the order of summoning dated 6.4.2013 (Annexure P-2). He further states that the trial in the case in hand is yet to begin with

and, therefore, the position of the petitioner as on date is more or less similar, which exists on the date i.e. 6.4.2013.

I have heard learned counsel for the petitioner.

Considering the fact that against the summoning order dated 6.4.2013 passed by learned Magistrate, the petitioner has got the remedy of revision before the Sessions Court, the petitioner is permitted to withdraw the present petition with liberty to file revision petition.

Dismissed as withdrawn with liberty aforesaid.

Since the evidence in the case has not begin with, the revisionary Court shall not dismiss the said revision petition merely on the ground of limitation.

August 30, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No