

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRL. MISC. No.M-25885 OF 2014 (O&M)
DATE OF DECISION : 25th APRIL, 2017

Joginder Singh & others

.... Petitioners

Versus

Gurdev Singh

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Suinil Chadha, Senior Advocate with
Mr. M. S. Atwal, Advocate for the petitioners.

Mr. Navjot Singh, Advocate for
Mr. Hitesh Kaplish, Advocate for the respondent.

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A. B. CHAUDHARI, J. (ORAL)

Following is the prayer in the present petition:

“Petition under Section 482 of the Cr.P.C. for quashing of Criminal Complaint No.1083 dated 28.07.2012 (Annexure P-1), which is pending in the Court of Ms. Aprajita joshi, Judicial Magistrate Ist Class, Phagwara for 09.09.2014, as well as all the subsequent proceedings taken in pursuance thereof including the summoning order dated 27.05.2013 (Annexure P/2), the same being patently illegal and a gross abuse of the process of the Court as well as the law.”

On August 23, 2016 this Court passed the following order:

“Learned counsel for the respondent states that the complaint in question has eventually been dismissed in-default on 04.08.2016.

List again on 24.10.2016”

Learned counsel for the sole respondent makes a statement that indeed complaint has been dismissed in default before the trial Court.

In view of the above, the cause of action has come to an end and nothing is required to be further done in this case. In that view of the matter, following order is passed:

ORDER

- (i) CRL. MISC. No.M-25885 OF 2014 for quashing of complaint is disposed of as the cause of action has come to an end.
- (ii) Liberty is reserved in favour of the petitioners to revive the present petition in case the complaint is restored before the trial Court.

25th APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No