

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28687-2011 (O&M)
Date of Decision:-16.05.2018.

Jyoti Kukreja and others

.....Petitioners

Versus

Union Territory, Chandigarh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sunil Chadha, Senior Advocate with
Ms. Swati Verma, Advocate for the petitioners.

Mr. Sukant Gupta, Additional P.P. U.T. Chandigarh.

Mr. O.P. Goyal, Senior Advocate with
Ms. Deepshikha, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

CRM-8599-2018

Heard the CM for withdrawal of the main petition.

Learned counsel for the respondents have opposed tooth and nail for withdrawal of the main petition stating that Smt. Jyoti Kukreja has been declared as proclaimed offender, therefore, Smt. Jyoti Kukreja and others cannot withdraw the present petition. Learned counsel for respondent No.1 cited a decision, namely **Jasbir Singh Vs. State of Punjab 2002 (4) R.C.R. (Criminal) 299** to contend that no concession is required to be extended in respect of proclaimed offender.

Heard the learned counsel for the parties.

Withdrawal of the main petition by the petitioners is not a

concession. Even though Smt. Jyoti Kukreja has been declared as proclaimed offender, that does not come in the way of withdrawal of the main petition. It is not the Court giving any concession to the petitioners. Accordingly, respondents' contention and the cited decision is distinguished having regard to the factual aspects of the present case and ***Jasbir Singh's*** case cited supra.

Accordingly, CM stands allowed.

With the consent of counsel for the parties main matter is taken up on board today itself for disposal.

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In view of the prayer made in CRM-8599-2018 which is already allowed, petition stands dismissed as withdrawn.

(P.B. BAJANTHRI)
JUDGE

May 16, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.