

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

248

CRM-M-27807-2017
Date of Decision: 13.12.2018

Balwinder Singh @ Kali and another

... Petitioners

vs

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manish Parbhakar, Advocate
for the petitioners.

Mr. Nikhil Chopra, Addl.A.G., Punjab.

Mr. Rishav Jain, Advocate
for respondent No.2.

MANOJ BAJAJ, J.(ORAL)

The petition was filed for quashing of FIR No.0135 dated 28.06.2017 for the offences punishable under Sections 382, 186, 324, 323, 427, 201, 148 and 149 of the Indian Penal Code ('IPC'-for short) and 61/1/14 of Excise Act, registered at Police Station, Jandiala Guru, Tehsil and District Amritsar.

Primarily, the petition is founded on the ground that the petitioners were not present when the alleged recovery was effected. Reply to the petition has been filed by way of affidavit of Gurpartap Singh, PPS, Deputy Superintendent of Police, Sub-Division Jandiala, Amritsar Rural on behalf of respondents No.1 to 4, wherein it is indicated that recovery was effected from the house of petitioner No.1. It is also narrated that the police team was attacked by 15/20 persons which included the petitioners as well as caused damaged to the police vehicles also.

Learned counsel appearing on behalf of the State on instructions from HC Tejinder Singh has apprised the Court that on 10.10.2018, the final report under Section 173(2) Cr.P.C. has been filed before the Court.

Faced with this situation, learned counsel for the petitioners wishes to withdraw this petition to enable to raise all the pleas before the trial Court at an appropriate stage.

Dismissed as withdrawn with liberty as aforesaid.

13.12.2018
anju

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No