

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39284 of 2016
Date of Decision: 03.08.2018

Laxman and others

...Petitioners

VERSUS

Brahm Dev and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vishal Satija, Advocate
for Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. Neeraj Sheoran, Advocate
for respondent no. 1.

Ms. Dimple Jain, AAG, Haryana
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

Heard.

This petition has been filed seeking quashing of order dated 28.10.2015 passed by Additional Sessions Judge, Bhiwani, whereby revision petition filed by respondent no. 1 was allowed with direction to trial Court to pass fresh order after going through entire preliminary evidence.

Admittedly, order was passed by learned Additional Sessions Judge without issuing notice to petitioners.

Learned counsel for respondent no. 1 has no objection if order dated 28.10.2015 passed by Additional Sessions Judge, Bhiwani is set aside and direction be issued to Court of Additional Sessions Judge to rehear the revision and pass appropriate order in accordance with law.

In view of submissions of learned counsel for respondent no. 1,

the instant petition is allowed and order dated 28.10.2015 is set aside and Additional Sessions Judge, Bhiwani/successor Court is directed to take the Criminal Revision No. 33 of 2014 on board, hear the parties and decide the same afresh on merit. Parties i.e. Petitioner and respondent no. 1 are directed to appear before Court of Additional Sessions Judge, Bhiwani/successor Court on 27.08.2018. As both the parties are being represented, no notice will be required to be issued to either of the party by learned Additional Sessions Judge, Bhiwnai/successor Court.

August 03, 2018

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No