

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

**CRM-M No.41649 of 2016 (O&M)
Date of Decision: 26.3.2018**

Avtar Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Abhishek Singh, Advocate for
Mr. Harchand Singh Batth, Advocate for the petitioner.

Mr. A.S.Dhaliwal, Deputy Advocate General, Punjab
for respondent No.1/State.

None for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed praying for quashing of FIR No.96 dated 28.09.2012, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Kabarwala, District Mukatsar.

During the course of hearing, it transpires that on 22.11.2016, learned Counsel for the petitioner stated before this Court, which reads as under:-

“ Learned counsel for the petitioner has argued that the petitioner would not press the instant petition for quashing of FIR but he is not the beneficiary and is an old man living 250 kilometers away and would limit his prayer to exemption from personal appearance.

In view of these facts, notice of motion for 20.01.2017. ”

Perusal of the order dated 22.11.2016, extracted hereinabove, makes it clear that the petition for quashing of the FIR was withdrawn by learned Counsel for the petitioner and his only prayer survives regarding the exemption from personal appearance.

Learned State Counsel, on instructions from H.C. Jasbir Singh, has pointed out that the entire prosecution evidence is over except one PW and now the case is fixed for today itself before learned trial Court.

In view of above, nothing survives in the present petition and the same deserves to be dismissed.

Consequently, the present petition is dismissed.

March 26, 2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>Yes</i>