

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

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**CRM-M No.50901 of 2018.
Date of Decision: 19.11.2018**

Balbir Singh

....Petitioner.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Mehtab Singh Khaira, Advocate for the petitioner.

Shekher Dhawan, J.

Present petition under Section 482 of the Criminal Procedure Code is for quashing of Complaints Case No.35286 dated 12.11.2013 and Complaint Case No.35441 dated 16.11.2013 (Annexure-P3 & P4).

Learned counsel representing the petitioner contended that the learned trial Judge, while passing the order on the application, having been filed after three years, passed the order for restoration of the main file, which is otherwise legally not maintainable.

Admittedly, the proceedings, on the basis of complaints, are pending before learned trial Magistrate, at this stage and the petitioner can certainly take all the pleas before learned trial Judge and if he is aggrieved by any such order passed by learned trial Judge, the legal remedy available with him is to challenge the same by filing revision petition.

In view of the above, the present petition is not maintainable and is dismissed.

**(SHEKHER DHAWAN)
JUDGE**

19.11.2018

jitender

Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No