

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

**CRM-M-21092-2018
Date of decision: 05.11.2019**

Sunil @ Sonu

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Manish Soni, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. A. P. S. Deol, Sr. Advocate with
Mr. H. S. Deol, Advocate
for respondent No. 4.

Mr. Bipan Ghai, Sr. Advocate with
Mr. Vishavjit S. Virk, Advocate
for respondent No. 5.

ARVIND SINGH SANGWAN, J. (Oral)

At the very outset, learned counsel for the petitioner seeks withdrawal of the present petition with liberty to approach the trial Court, in view of the judgment of Hon'ble Supreme Court rendered in ***Criminal Appeal Nos. 478-479 of 2017***, titled as ***Vinubhai Haribhai Malaviya and Ors. vs. The State of Gujarat and Anr.***, decided on 16.10.2019, wherein it has been held that the Magistrate has power to direct the prosecution for further investigation even after submission of report under Section 173 Cr.P.C.

Dismissed as withdrawn with liberty as prayed for.

05.11.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*