

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-30025-2013 (O&M)

Date of Decision:-19.3.2019

Charan Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rakesh Kumar, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioners had approached this Court seeking quashing of FIR No.260 dated 1.12.2012 registered at Police Station Sultanpur Lodhi, District Kapurthala under Sections 447 and 379 of Indian Penal Code.

The application bearing No.CRM-8196-2019 was filed on behalf applicant/petitioner No.2 seeking permission to withdraw the petition, wherein it was also stated that petitioner No.1 has since expired.

The learned State counsel has not disputed the factum of death of Charan Singh and has infact filed a photocopy of death certificate of Charan Singh, which is taken on record.

Vide order dated 12.3.2019, the matter had been adjourned so as to enable the counsel for the petitioners to seek instructions as to whether the LRs of petitioner No.1 wish to pursue this petition or not.

Today, at the very outset, the learned counsel for the petitioners has filed power of attorney on behalf of Balwinder Kaur, stated to be wife of petitioner No.1 Charan Singh. The same is taken on record.

An application i.e. CRM-9847-2019 has been filed seeking permission to place on record the affidavit of Balwinder Kaur.

In view of the reasons mentioned in the application bearing No.CRM-9847-2019, the same is allowed and affidavit of Balwinder Kaur annexed with the application is taken on record.

Balwinder Kaur has specifically deposed in her aforesaid affidavit that Charan Singh was her husband who has since expired and that she has instructions from all the LR's of Charan Singh to withdraw the present petition. The application is also accompanied by Aadhar Card of Balwinder Kaur, wherein the name of her husband is referred to as Charan Singh.

In view of the aforesaid position, the application bearing No.CRM-8196-2019 is allowed and the main petition i.e. CRM-M-30025-2013 is dismissed as withdrawn with liberty to raise all the points raised herein before the trial Court at appropriate stage.

19.3.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No