

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

CRM-M-42980-2018 (O&M)

Date of decision: 13.03.2019

Devender Singh Giare

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Bedi, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for quashing of the order dated 20.07.2010 passed by the trial Court in criminal complaint No.83 of 2007 dated 05.03.2007/07.03.2007, vide which the petitioner was summoned to face the trial for the commission of offence punishable under Sections 406/149 IPC along with five other persons, arrayed as accused as well as the order dated 25.11.2011 (Annexure P-3), vide which the revision petition filed by the petitioner was dismissed.

Learned counsel for the petitioner, at the very outset, submits that a separate revision petition filed by the co-accused, was allowed by the revisional Court vide order dated 04.04.2016 (Annexure P-4) and thereafter, the case was remanded back to the trial Court. It is further submitted that the

trial Court has again passed a summoning order on 26.11.2018 and the same set of co-accused have now filed a revision petition before the Additional Sessions Judge, Gurugram, which is now pending for adjudication and in the meantime, proceedings before the trial Court are stayed.

Learned counsel for the petitioner further submits that since against the same summoning order, two sets of revisions were decided on different counts, he may be permitted to withdraw the present petition with liberty to file a revision petition before the Additional Sessions Judge, Gurugram and prays that the same may be ordered to be tagged with CRR-29-2019, which is pending before the Additional Sessions Judge, Gurugram, so that all the petitions be decided together.

Dismissed as withdrawn with liberty aforesaid.

In case the petitioner files a revision petition before the Additional Sessions Judge within a period of 15 days from today, the same will be tagged with CRR-29-2019 and decided together by the same Additional Sessions Judge, Gurugram, to whom CRR-29-2019 titled as M/s Essel Housing Project Vs. Capt. SS. Panesar is assigned and the same will be decided on merits without raising any objection regarding limitation.

[ARVIND SINGH SANGWAN]
JUDGE

13.03.2019
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No