

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

202+124

CRM-M-43279-2017(O&M)

Date of Decision:24.09.2019

Gurbax Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioners.**

Mr. Sukhbeer Singh, AAG, Punjab.

**Mr. P.S. Guliani, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

The petitioners have filed the present petition under Section 482 Cr.P.C. seeking quashing of the order dated 05.12.2016 passed by learned Additional Sessions Judge, Patiala, whereby revision petition filed by the respondents against the order dated 04.06.2016 passed by learned Judicial Magistrate 1st Class, Patiala, was allowed and the case was sent back to the trial Court to re-consider oral as well as medical evidence led by the complainant.

Learned counsel for the petitioners has argued that the very impugned order passed by learned Revisionary Court being a superior Court is bound to have adverse effect upon the petitioner in the light of the observations so given by the learned Additional Sessions Judge, Patiala.

At this stage, learned counsel for respondent No.2 states that

learned Revisionary Court has merely remanded the case back to the trial Court to pass a fresh order and the fresh order is to be passed after re-hearing the matter on merit and the available evidence.

Heard learned counsel for the parties.

Without observing anything on merits, the present petition is disposed of with a direction that the trial Court while passing the fresh order in the light of order of the learned Revisionary Court, shall not be influenced by the observations made in the order of remand and shall pass fresh independent order without being influenced by the observations, if any, by the learned Revisionary Court.

Disposed of.

September 24, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No