

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-24762 of 2019
Date of Decision: October 30, 2019.

Manoj Kumar and anotherPetitioners

versus

Harnek SinghRespondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Yogesh Goel, Advocate, for the petitioner
Mr.J.S.Dadwal, Advocate, for the respondent.

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Anil Kshetarpal, J. (Oral)

Learned Judicial Magistrate, 1st Class in a criminal complaint refused to summon the accused-respondent. However, the Court of Sessions has set-aside the order and requested the trial Court to pass a fresh order.

Learned counsel for the petitioners submits that he has no objection if the Learned Magistrate passes a fresh order. However, he should not get influence by the observations made by the Court of Sessions.

Learned counsel for the respondent has no objection to the limited prayer made by learned counsel for the petitioners.

Keeping in view the aforesaid fact, the present petition is disposed of directing the learned Judicial Magistrate, 1st Class to pass a fresh order after considering the material available on record and without being influenced by the observations made by the Court of Sessions dated 06.04.2019.

October 30, 2019
mohinder

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

: **Yes/No**
: **Yes/No**