

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

CRM-M-40204-2019 (O&M)
Date of Decision:-19.9.2019

Shamsad Ali and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nitin Mittoo, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

Today, at the very outset, the learned counsel for the petitioners submits that he may be permitted to withdraw the present petition with liberty to raise all the points raised herein before the trial Court including his submission to the effect that petitioner No.1, who is brother-in-law of applicant/wife has falsely been implicated simply in order to pressurize the entire family and that infact petitioner No.2 is a female who was aged barely 13 years at the time of alleged occurrence and could not have possibly nursed any intention to harass respondent No.2-Gulfshah in any manner and would not fall within the definition of 'respondent' in terms of Section 2(q) of Domestic Violence Act.

In view of the aforesaid submission, the present petition is dismissed as withdrawn with liberty aforesaid.

In case the aforesaid contentions are raised by petitioners before Trial Court, the same shall be dealt with by passing a speaking order and

while bearing in mind the latest position of law including the ratio of judgment rendered by Hon’ble Supreme Court in case titled Hiral P. Harsora and others Versus Kusum Narottamdas Harsora and others, 2016(10) SCC 165.

19.9.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No