

Sr. No.205/2

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

**CRM-M-64762-2018(O&M)
Date of decision:27.05.2019**

Sonali Ahlawat and another

..... Petitioners

versus

State of Haryana and another

..... Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. R.S.Rai, Sr. Advocate with
Mr. Sushil Jain, Advocate
for the petitioners.

Mr. M.D.Sharma, AAG, Haryana.

Mr. Sanjay Vashishth, Advocate
for the complainant/respondent No.2.

Rajbir Sehrawat, J(Oral)

CRM-794-2019

Since the main case is being disposed of, this application is
disposed of as infructuous.

CRM-M-64762-2018

Present petition has been filed seeking quashing of the order
dated 21.12.2018(Annexure P-13) passed by Chief Judicial Magistrate,
Gurugram, whereby the application moved by the respondent for directing
the petitioners to give their voice samples has been allowed.

Learned counsel for the petitioners, on instructions of the
petitioners, who are present in Court, submits that he does not wish to press
the present petition against the Order dated 21.12.2018(Anneuxre P-13).
Rather the petitioners are ready to appear before the concerned Magistrate
to give their voice samples, on a date to be intimated by the Investigating

Officer. However, it is submitted that the petitioners be granted liberty to take all other legally available pleas, during the trial, if any.

On the other hand, learned State counsel being instructed by ASI, Anil Kumar and Shri Sanjay Vashisth, learned counsel for respondent No.2/complainant, on instructions from complainant, who is also present in Court, submit that if the petitioners are ready to give their voice samples, then they have no objection if the petitioners are permitted to withdraw the present petition, although with liberty to take all other legally available pleas during the trial.

In view of the above, the present petition is dismissed as withdrawn; with liberty to the petitioners; to avail all other legally available pleas during the trial, if any.

However, it is further ordered that the Investigating Officer of the case shall intimate to the petitioners, at least two days in advance, the date for appearing before the concerned Magistrate, for fixing fresh date for giving their voice samples. Petitioners are directed to appear before the concerned Magistrate, accordingly, so that the Magistrate can fix a fresh date for obtaining their voice samples.

In above terms, the present petition is disposed of.

27th May, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*