

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1569 of 2020
Date of decision:10.02.2020

Sushil @ Sheel @ Sunil and others ... Petitioners

Vs.

Ajmer Singh ... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Abhinav Aggarwal, Advocate
for the petitioners.

SUVIR SEHGAL, J. (Oral)

The instant petition has been filed with the following prayer:-

“It is, therefore, respectfully prayed that in view of the facts and circumstances of the present case and in the interest of justice, the Criminal Complaint No.524-1 of 2017, dated 26.09.2017 titled as Ajmer Singh Vs.Sumit and others, filed under Sections 147, 148, 149, 307, 303, 324, 506 IPC and 25, 27 of Arms Act (Annexure P-3) before the learned JMIC Ist Class, Hansi and the summoning order dated 14.12.2019 (Annexure P-4) passed by the learned Additional Session Judge, Hisar and all other consequential proceedings arising out thereof qua the present petitioners may kindly be quashed and the present petition be allowed.

It is, further prayed that the further proceedings before the learned trial Court may kindly be stayed qua the petitioners during the pendency of the present petition before this Hon'ble Court.

For issuance of any other appropriate, order or direction to which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

It is, further prayed that filing of certified/true typed copies of Annexures P-1 to P-4 may kindly be exempted, and the petitioners may kindly be permitted to place on record true and correct photocopies of Annexures P-1 to P-4 thereof alongwith the present petition before this Hon'ble Court, in the interest of justice.”

When confronted with the order dated 14.12.2019 (Annexure P-4) passed by the Additional Sessions Judge, Hisar, learned counsel for the petitioners admitted that there is an error on his part. He submitted that vide order dated 14.12.2019 (Annexure P-4), charge had been ordered to be framed by the learned Additional Sessions Judge, Hisar and after the accused pleaded not guilty, the case was adjourned for evidence of the prosecution. According to him, summoning order was passed by the Judicial Magistrate on 04.12.2018, which has not been challenged.

Faced with this situation, learned counsel for the petitioners prays for withdrawal of the present petition with liberty to file fresh one. Permitted to do so.

Dismissed as withdrawn with liberty as aforesaid.

(SUVIR SEHGAL)
JUDGE

February 10, 2020
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No