

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

CRM-M-53809 of 2019.

Decided on:- February 25, 2020.

Nitesh Sharma and others

.....Petitioners.

Versus

Shaweta.

.....Respondent.

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

Present:- Mr. Vinod K. Kaushal, Advocate
for the petitioners.

HARI PAL VERMA, J. (Oral)

The petitioners have filed this petition under Section 482 Cr.PC so as to quash the complaint No.90/2019 titled as ***Shaweta Versus Niresh Sharma and others*** under Sections 498-A, 406, 323 and 313 read with Section 34 IPC pending in the Court of Learned Judicial Magistrate 1st Class, Gurdaspur as well as the summoning order dated 19.10.2019 passed by learned Judicial Magistrate 1st Class, Gurdaspur, whereby the petitioners have been summoned to face trial under Sections 313, 406, 498-A and 323 read with Section 34 IPC in the aforesaid complaint.

Admittedly, against the impugned order of summoning, the remedy of revision is available to the petitioners before the Sessions Court. The argument of learned counsel for the petitioners that the petitioners have also challenged the complaint as well, cannot be accepted in the light of the

impugned order dated 19.10.2019 passed by learned Judicial Magistrate 1st Class, Gurdaspur, whereby the petitioners have been summoned to face trial under Sections 313, 406, 498-A and 323 read with Section 34 IPC in the aforesaid complaint.

The present petition is, accordingly, dismissed.

However, in case the petitioners file revision petition against the impugned order dated 19.10.2019 within 15 days from the date of receipt of this order, the same shall not be dismissed by the revisionary Court solely on the ground of limitation.

February 25, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No