

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-5234-2021 (O&M)
Date of Decision: 05.02.2021**

Taj Mohammad @ Sikander @ Sakinder ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. P.S.Ahluwalia, Advocate, for the petitioner.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

Today, at the very outset, learned counsel for the petitioner submits that since his petition was not considered on merits by the trial Court, he may be permitted to withdraw this petition with liberty to move an application afresh before the trial Court. It has further been submitted that in fact it was on account of the prevalent conditions due to spread of pandemic that he could not join investigation in time, as the petitioner hails from Himachal Pradesh, whereas the instant case was registered in the State of Punjab.

In view of the aforesaid submission particularly while considering the contention of the petitioner that on account of spread of pandemic he could not join investigation, the instant petition is permitted to be withdrawn and is dismissed as such. However, in case the petitioner moves a fresh application under Section 438 Cr.P.C. before the

trial Court/Sessions Court, the same shall be considered on merits and disposed of in accordance with law.

05.02.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**