

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

**CRM-M-30409-2021
Date of decision: 02.08.2021**

Sukhjinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Tahaf Bains, Advocate
for the petitioners.

Ms. Monika Jalota, DAG and
Mr. Joginder Pal Ratra, DAG, Punjab.

Ms. Shubhra Singh, Advocate
for respondent No. 2-CBI.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of necessary orders and directions to the Special Judge, CBI, Punjab, SAS Nagar to complete the trial in case arising out of FIR No. 8 dated 26.06.2003, registered under Sections 120-B, 420, 468, 471, 467 of the IPC and Sections 13 (1) (d) and 13 (2) of the Prevention of Corruption Act, 1988 at Police Station New Delhi (CBI) in case No. PC/13/2017 titled as ***CBI vs. Nirmal Singh Kahlon and others.***

Learned counsel for the petitioners submits that the FIR was registered with regard to a scandal regarding the appointment of Panchayat Secretaries, qua which, a writ petition bearing ***CWP-878-2011***, titled as ***Dharam Pal Singh and others vs. State of Punjab*** is pending before this Court.

Learned counsel refers to order dated 04.02.2016 passed in the

aforesaid writ petition, vide which, while admitting the writ petition, liberty was granted to file an application for early hearing after conclusion of the criminal proceedings before the trial Court.

Learned counsel further refers to order dated 25.02.2021 passed in a miscellaneous application praying for early hearing, filed in the aforesaid writ petition, wherein it has been observed that since the criminal proceedings are pending, the question would arise whether the application is maintainable regarding early hearing of the writ petition.

Learned counsel for respondent No. 2/CBI as well as learned counsel for respondent-State have raised a preliminary argument that the petitioners are neither victims nor accused and, therefore, they have no locus standi to file the present petition, which has been filed only against the State of Punjab and CBI, without impleading persons/accused who are going to be affected.

Faced with this, learned counsel for the petitioners seeks permission to withdraw the present petition with liberty to file an appropriate application before the writ Court for issuance of such directions as sought in the present petition.

Dismissed as withdrawn with liberty as prayed for.

02.08.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No