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

\*\*\*\*

**CRM-M-33562-2021**

**Date of Decision: 19.08.2021**

Gurbachan Lal Numberdar

Petitioner

Versus

State of Punjab and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

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

Ms. Monika Jalota, Deputy Advocate General, Punjab.

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**AVNEESH JHINGAN, J (Oral):**

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 248, dated 4<sup>th</sup> December, 2016, under Sections 199, 420, 465, 471 and 120-B IPC, registered at Police Station Nakodar, District Jalandhar Rural and all its subsequent proceedings arising therefrom. In the alternative, the prayer is for quashing of order dated 22<sup>nd</sup> February, 2021 passed by the Sub Divisional Judicial Magistrate, Nakodar.

[3] In the present case, the police had filed an Untraced Report. The Court below observed that notice sent to the complainant was not received back. The Investigating Officer failed to produce the

complainant in the Court, hence, the Untraced Report can not be accepted.

[4] Learned counsel for the petitioner submits that the Court should have exercised its powers for summoning the complainant.

[5] After arguing for some time, sensing the outcome and realizing that prayer was prayer was never made before the Court concerned, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to avail alternative remedies.

[6] The petition is dismissed as withdrawn with liberty as prayed for.

**[AVNEESH JHINGAN]**  
**JUDGE**

**19<sup>th</sup> August, 2021**

*pankaj baweja*

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |