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

CRM-32257-2021 in/and
CRM-M-38228-2021
Date of decision : 04.10.2021

Kulwinder Singh and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Bali, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.
(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

CRM-32257-2021

This is an application filed under Section 482 of Cr.P.C. for seeking permission to withdraw the present petition with liberty to file afresh with better particulars.

Learned counsel for the applicant-petitioners has submitted that the main petition was filed for quashing of FIR No.98 dated 04.06.2017 registered under Sections 323, 341, 506, 34 of the Indian Penal Code, 1860 at Police Station Doraha, District Khanna, District Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom, on the basis of compromise deed dated 30.08.2021 (Annexure P-2).

In the said case, notice of motion was issued on 15.09.2021 and the parties were directed to record their statements before the trial Court/Illaq Magistrate. Petitioner No.2 was earlier not aware about the fact that he was

declared as proclaimed person by the prosecution and had come to know about the same only subsequently and there was an FIR registered against him under Section 174-A of IPC i.e. FIR No.96 dated 12.06.2021.

In view of the abovesaid facts and circumstances, learned counsel for the applicant-petitioners has submitted that he wishes to withdraw the present petition with liberty to challenge the order dated 24.05.2019, whereby petitioner No.2 has been declared proclaimed person and to approach again by filing a petition for quashing the present FIR on the basis of compromise at a later stage.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of non-applicant-respondent No.1-State and has stated that he has no objection in case the present application is allowed and hearing of the main case is preponed from 13.12.2021 to today itself for final disposal.

Keeping in view the abovesaid facts and circumstances, the present application is allowed and the hearing in the main case is preponed from 13.12.2021 to today itself for final disposal.

Main case

In view of the abovesaid, the present petition is dismissed as withdrawn with liberty to the petitioners to file a fresh petition by giving full and better particulars.

04.10.2021

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No