

CRM-M-11752-2018 and
CRM-M-21170-2018

1

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

CRM-M-11752-2018

Ram Kishan and Ors.

..... Petitioner

versus

State of Punjab and Anr.

..... Respondents

**CRM-M-21170-2018
Date of decision : 29.03.2022**

Kaka

..... Petitioner

versus

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present :- Mr. R.S. Manhas, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Sidharth Gupta, Advocate for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

Petitioners have preferred the instant petitions under Section 482 of Cr.P.C. for quashing the FIR No.108 dated 28.04.2016 under Sections 498-A of IPC, registered at Police Station Civil Lines Batala, Police District Batala and order dated 08.02.2018 passed by Ld. Judicial Magistrate Ist Class, Batala summoning the petitioners under Section 319 Cr.P.C.

After arguing for sometime, learned counsel for the

petitioners prays for permission to withdraw the present petitions with liberty to avail the alternative remedy of assailing the impugned order of summoning under Section 319 Cr.P.C. before the concerned Sessions Court, Batala.

He further submits that the petitioners were found innocent during investigation and after their summoning they directly approached this Court. He submits that the petitioners include old aged parents belonging to State of J&K and at the time of issuance of notice the impugned order was stayed and in the peculiar facts and circumstances they may be granted some protection enabling them to join the proceedings.

In view of the above facts the present petition is disposed of with liberty to the petitioners to avail alternative remedy of filing a revision before concerned Sessions Court against their summoning under Section 319 Cr.P.C. In case, petitioners appears before the trial Court within 10 days from today and files an appropriate application for bail, the trial Court is requested to decide the same within a period of 05 days. The petitioners would have protection from arrest for 07 days from the date of filing of said application before the trial Court.

**(RAJESH BHARDWAJ)
JUDGE**

29.03.2022
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No