IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

107 **CRM-M-11397-2019 (O&M)**
Date of Decision:29.08.2022

Pipal Singh **.....Petitioner**

Vs.

CBI **.....Respondent**

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. B.S. Loomba, Advocate
for the petitioner.

Ms. Shubhra Singh, Advocate
for the respondent-CBI.

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ANOOP CHITKARA J. (ORAL)

Learned counsel for the CBI submits that vide resolution dated 28.08.2018 passed by the legislative assembly, the State of Punjab had withdrawn prosecution powers from CBI in this case. Challenging the said resolution, the CBI has approached this Court as well as Hon'ble Supreme Court of India. The SLP filed by the CBI was dismissed vide order dated 20.02.2020 and even a Review petition was also filed which was also dismissed on 16.03.2021. In the meantime, CBI has returned the investigation file to the state police on 04.01.2021.

Learned counsel for the CBI submits that given above, prayers of the petitioner cannot be redressed by the CBI for want of locus and jurisdiction.

At this stage, learned counsel for the petitioner submits that he be permitted to withdraw the present petition with liberty to file a fresh petition against the State of Punjab including all events happen in the interregnum and it be clarified that withdrawal of the present petition shall not come in the way of filing the fresh petition.

ANJU RANI
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HIGH COURT CHANDIGARH

Prayer being innocuous is accepted.

The present petition is disposed of as withdrawn with the liberty as prayed for. It is clarified that it shall be permissible for the petitioner to place reliance upon reply filed by the CBI, in case he so desires.

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.08.2022
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No

ANJU RANI
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