

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17700-2022 (O&M)
Date of decision: 28.04.2022

Ganesh Kumar @ Vicky and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Munish Puri, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of the order dated 13.02.2020, vide which notice was issued to the petitioners in case bearing CRA/33/2020 titled as Rattan Singh Vs. Ganesh Kumar @ Vicky and others, arising out of Complaint bearing No.COMI/38/2017 dated 14.03.2017 filed by respondent No.2.

Learned counsel for the petitioners submits that in a complaint filed by respondent No.2, the petitioners were acquitted by the trial Court vide judgment dated 17.01.2020 and against the said judgment, respondent No.2

filed an appeal before the lower appellate Court, in which notice was issued to the petitioners. It is further submitted that the petitioners have already moved an application (Annexure P-9) on the ground that under Section 378 (4) Cr.P.C., the appeal is not maintainable, however, the same is pending.

After hearing learned counsel for the petitioners, this petition is disposed of with a direction to the lower appellate Court to decide the application (Annexure P-9) moved by the petitioners, after affording an opportunity of hearing to both the parties, within a period of 30 days from the date of receipt of certified copy of this order.

Disposed of, accordingly.

28.04.2022
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No