

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

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**CRM-M-22373-2022
Date of decision: 23.05.2022**

NIRMAL SINGH

.....Petitioner

VERSUS

KAMALJIT KAUR

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sandeep Godara, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has been filed the present petition under Section 482 Cr.P.C. for quashing the Criminal Complaint No. COMI-87-2017 dated 25.05.2017, RBT No. 69/15.07.2017 titled as “*Kamaljit Kaur Vs. Surinder Singh etc.*” (Annexure P-1) under Sections 323, 324, 354, 452, 427, 500, 506 and 34 of the Indian Penal Code, 1860 pending in the Court of Judicial Magistrate First Class, Gurdaspur along with all consequential proceedings including the summoning order dated 10.02.2022 (Annexure P-4).

Learned counsel appearing on behalf of the petitioner submits that initially, the trial Court vide order dated 23.02.2018 had dismissed the complaint after noticing that there is no ground made out to summon the accused persons. The said order was a subject matter of challenge before the Sessions Court, Gurdaspur and vide judgment dated 10.09.2021, the Criminal Revision No. 17/03.05.2018 was

allowed and the order of the Judicial Magistrate was set aside and the matter was remanded with a direction to the Judicial Magistrate to pass a fresh order. In compliance to the same, the fresh order was passed by the Judicial Magistrate First Class, Gurdaspur, vide order dated 10.02.2022 for summoning the petitioner.

Learned counsel appearing on behalf of the petitioner seeks permission to withdraw the instant petition with liberty to raise an appropriate challenge to the order of summoning before the appropriate forum.

Dismissed as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

MAY 23, 2022

Vishal sharma

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