

CRM-M-25960-2022 (O&M)

Date of Decision: 6.7.2022

Deepa

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Preetinder S. Ahluwalia, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for setting aside of the order dated 20.9.2021 passed by the learned Magistrate in FIR No.39, dated 23.10.2015, registered under Sections 323, 498-A, 506 IPC at Women Police Station Bhiwani, whereby the learned trial Court refused to accept the application filed by the petitioner under Section 209 Cr.P.C. as well as order dated 23.12.2021 passed in Criminal Revision No.21 of 2021, whereby the learned Sessions Court has dismissed revision application filed by the petitioner under Section 209 Cr.P.C.

Learned counsel for the petitioner at the outset submits that the petitioner has filed the petition without adverting to her remedy under Section 216 Cr.P.C. He submits that he be allowed to withdraw the present petition with liberty to approach the Court of competent jurisdiction for availing her remedy by filing application under Section 216 Cr.P.C.

On hearing the submissions of learned counsel for the petitioner, this Court finds the prayer made fair and genuine one.

Dismissed as withdrawn with liberty as prayed for. If the petitioner files an application under Section 216 Cr.P.C. before the Court of competent

jurisdiction, the Court is requested to decide the same in accordance with law without being influenced by the order passed earlier on application under Section 209 Cr.P.C.

(RAJESH BHARDWAJ)
JUDGE

6.7.2022
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No