

118

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

CRM-14173-2022 in/and
CRM-M-48216-2021 (O&M)
Date of decision : 26.04.2022

Raja Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. M.K. Bali, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Vaibhav Prashar, Advocate for respondent Nos.2 and 3.

VIKAS BAHL, J. (ORAL)

CRM-14173-2022

This is an application filed under Section 482 of Cr.P.C. for preponement of the date of hearing in the main case which is now stated to be listed for 28.09.2022 to an early date.

Notice in the application.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of the non-applicant/State of Punjab and Mr. Vaibhav Prashar, Advocate appears on behalf of non-applicant/respondent Nos.2 and 3 and have submitted that they have no objection in case the present application is allowed and the date of hearing in the main case is preponed from 28.09.2022 to today itself for final disposal.

In view of the aforesaid facts and no objection from the opposite

side, the present application is allowed and the date of hearing in the main case is preponed from 28.09.2022 to today and the same is taken on Board today itself for final disposal.

Main case

This is a petition filed under Section 482 of Cr.P.C. for quashing of FIR No.139 dated 05.07.2019 registered under Sections 66-C and 66-D of the Information Technology Act, 2000 at Police Station Goraya, District Jalandhar Rural (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

It has been pointed out in the report that in the present case, there is a third victim by the name of Paramjit Singh. Even a perusal of the FIR would show that the complaint has been signed by the third complainant and the said fact is also apparent from the FIR. It has been stated in para 8 of the petition that the third signatory to the said complaint has expired. The present petition is filed without even impleading the legal representative of the said complainant.

In view of the above facts, learned counsel for the petitioners seeks permission of this Court to withdraw the present petition with liberty to the petitioners to file fresh petition after making third complainant as party and in case, the third complainant has died then after making all the legal representative of the said complainant as party.

Hence, the present petition is dismissed as withdrawn with liberty aforesaid.

26.04.2022

Pawan

(VIKAS BAHL)
JUDGE

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