

115

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

CRM-26444-2022 in/and
CRM-M-48661-2021 (O&M)
Date of decision : 02.08.2022

Sukhjinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanjeev Kumar, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Tarun Sharma, Advocate for respondent No.2.

VIKAS BAHL, J. (ORAL)

CRM-26444-2022

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 26.09.2022 to an early date.

Learned counsel for the applicant-petitioner has submitted that the present matter has been compromised and the statements of the parties have already been recorded.

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. Tarun Sharma, Advocate appears on behalf of non-applicant/respondent No.2 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 26.09.2022 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 26.09.2022 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.197 dated 08.11.2020 registered under Sections 279, 337, 338, 427 of the Indian Penal Code, 1860 at Police Station Mataur, District SAS Nagar, Mohali (Annexure P-2) and all the subsequent proceedings arising therefrom on the basis of compromise dated 22.02.2021 (Annexure P-3).

On 22.11.2021, this Court was pleased to direct the parties to get their statements recorded before the trial Court/Illaq Magistrate and had directed the trial Court to submit its report.

In pursuance of the abovesaid order, the trial Court has submitted its report and as per the report, in addition to respondent No.2, there is another victim i.e. Rekha. The said Rekha has neither been made party nor compromise has been effected with her.

In view of the same, learned counsel for the petitioner seeks permission of this Court to withdraw the present petition with liberty to file

a fresh petition after impleading all the necessary parties and after compromising with them.

In view of the above, the present petition is dismissed as withdrawn with liberty aforesaid.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

02.08.2022

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No