

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CRM No. M-50229 of 2021 (O&M)
Date of Decision : 07.03.2022

Subhash Chand Gupta and another

...Petitioners

Versus

The State of Haryana and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D. Hasija, Advocate for the petitioners.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CRM-40957 of 2021

Application is allowed, as prayed for.

CRM No. M-50229 of 2021

Learned counsel for the petitioners submits that the lower Appellate Court in the revision filed by the petitioners, has already modified the order dated 16.07.2018 passed by the Magistrate and the concerned Magistrate had been directed to first record the statement of the complainant and the other witnesses to be examined and thereafter, to decide the further course of action keeping in view the facts and circumstances, which will emerge, hence, the present petition may kindly be allowed to be withdrawn

with liberty to the petitioners to approach the trial Court for recording the

statement as directed by the lower Appellate Court vide order dated 19.12.2019.

Ordered accordingly.

It is clarified that this Court is not expressing any opinion on the merits of the case and the Magistrate concerned will take appropriate decision on the issue. It is made clear that the report already submitted under Section 202 Cr.P.C. in pursuance to the order passed by the Magistrate dated 16.07.2018, which already stands modified by the lower Appellate Court, will not come in the way of forming the opinion by the Magistrate concerned.

March 07, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No