

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

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**CRM-M-47145-2019
Date of Decision: 11.07.2022**

KANCHAN AND OTHERS

....PETITIONERS

Versus

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Shiv Charan Bhola, Advocate
for the petitioners.

SURESHWAR THAKUR, J. (ORAL)

1. Learned Counsel for the petitioners is aggrieved from the impugned order carried in Annexure P-2, wherethrough, the learned Revisional Court after making modification of the order, initially made by learned Additional Chief Judicial Magistrate, Panipat, in Criminal Complaint No.913/1 of 2013, made an order of remand to the learned Magistrate concerned, for deciding afresh, hence the petition complaint. However, the learned Revisional Court also, made a conclusion that in so far as, accused No. 2 to 8 are concerned, and, qua them, an offence of theirs conspiring hence with the principal accused, rather is not made out. After the above order of remand was made to the Remandee Court, and, with a direction it, to decide it afresh, excepting the exculpated incriminatory role as assigned to co-accused no. 2 to 8, in respect of the offence constituted under Section 120-B IPC. Consequently, today, it is stated, at the bar, by learned Counsel for the petitioners, that a fresh decision in accordance with law rather becomes

rendered upon the petition complaint, and, it is also further stated, at the bar, by learned Counsel for the petitioners, that thereafter, upon the relevant charges, the complainants' evidence has commenced. Therefore, only when the Remandee Court, had yet kept alive, the petition complaint, and or, had not yet made an adjudication thereons, rather there upto only the challenge as made to the impugned order, as rendered by the Revisional Court, hence would survive, and, or would remain alive, but when the Remandee court, has meted compliance to the order of remand as made by the Revisional Court concerned, and, thereafter has also framed charges against the accused concerned, whereafter(s), it has also proceeded to permit the adduction of evidence thereons.

2. Consequently, the challenge to the impugned order does not at all survive.
3. In aftermath, the learned counsel for the petitioners seeks permission to withdraw the present petition.
4. Permission granted.
5. Consequently, the extant petition is dismissed as withdrawn.

(SURESHWAR THAKUR)
JUDGE

11.07.2022
kavneet singh

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