

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

CRR-2639-2022

Date of decision : 02.12.2022

Inder Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Anil Dutt, Advocate for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

Challenge in the present revision petition to the order dated 01.09.2022 passed by the Judicial Magistrate Ist Class, Samalkha vide which the application filed under Section 319 Cr.P.C. filed by the petitioner in FIR no.142 dated 19.07.2017 registered under Sections 323,34, 506 IPC at Police Station Sanoli, District Panipat, to summon respondents no.2 and 3 has been dismissed.

Learned counsel for the petitioner has submitted that no evidence of the prosecution has been recorded, thus, he seeks to withdraw the present petition with liberty to file a fresh application under Section 319 Cr.P.C. after recording the evidence and in case some material against the said respondents no.2 and 3 is produced before the Court.

In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

In case any such subsequent application is filed under Section 319 Cr.P.C. by the petitioner, then the same would be considered independently on its merits, in accordance with law.

**(VIKAS BAHL)
JUDGE**

December 02, 2022

Davinder Kumar