

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

238

CRM-M-2756-2019

Decided on : May 04, 2023

KARTIK GABA @ KIMMY AND ANR

..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Arun Gupta, Advocate for
Mr. Rakesh Gupta, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab.

None for respondent no.2.

NAMIT KUMAR, J. (Oral)

The present petition has been filed under Section 482 of Cr.P.C. seeking quashing of F.I.R. No.0237 dated 07.11.2014 under Sections 382, 506, 34 of IPC, registered at Police Station Rajpura City, District Patiala (Annexure P-1), and all other consequential proceedings arising therefrom, on the basis of compromise dated 18.12.2018 (Annexure P-2) arrived at between the parties.

In pursuance to the order dated 24.01.2023 passed by this Court, report dated 11.02.2023 has been received from the Court of learned Sub Divisional Judicial Magistrate, Rajpura, wherein it has been stated that the parties have not appeared before the trial court for recording their statements.

Learned State counsel submits that petitioner no.2 – Shivam Kumar (Kapoor) has not appeared in the trial court proceedings and he has placed on record copy of order dated 19.04.2023 passed by the Court of learned Sub Divisional Judicial Magistrate, Rajpura, wherein the said fact has been recorded. Copy of said order is taken on record.

Faced with this, learned counsel for the petitioner wishes to withdraw the present petition with liberty to file fresh one on the same cause of action at an appropriate stage.

Dismissed as withdrawn with aforesaid liberty.

May 04, 2023

mkkoundal

**(NAMIT KUMAR)
JUDGE**

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