

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

211

CRWP-1193-2023

Decided on : 03.03.2023

Paramjit Singh and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ankush Manhas, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Mr. Parminder Singh Kanwar, Advocate, puts in appearance on behalf of respondent No.5, and files his *Vakalatnama*, which is taken on record, subject to all just exceptions.

Petitioner No.1 – Paramjit Singh, aged about 35 years, and his wife i.e. petitioner No.2 – Sumanjeet Kaur, aged about 32 years, has filed present petition for seeking direction to official respondents No.3 & 4, to not to harass the petitioners on the basis of false and frivolous complaint filed by respondent No.5.

On 08.02.2023, following order was passed by this court:-

“Learned counsel for the petitioners submits that without there being an FIR, his DMAT account has been closed, which amounts undue harassment without registration of the FIR.

Notice of motion.

On asking of the Court, Mr. Vinay Kumar Gupta, AAG, Punjab, accepts notice on behalf of respondents No. 1 to 4 (State). He seeks time to file status report/reply.

Let copy of complete paper book of the petition be supplied to learned State counsel during the course of the day.

Adjourned to 03.03.2023.

Meanwhile, learned counsel for the petitioners would

also place on record the copy of complaint which is under investigation with the police and has been noticed as mark 'A' in the order dated 30.01.2023 passed by learned Court of Sessions, Pathankot."

Status report dated 02.03.2023, by way of affidavit of Lakhwinder Singh, PPS, DSP, Sub Division, City, District Pathankot, has been filed by learned State counsel in Court, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioners.

Learned State counsel refers to para No.5 of the said status report, which says as under:-

"5. That on the basis of the inquiry conducted, FIR No.20 dated 23.02.2023, U/s 417, 420, 120-B IPC and Section 66© Information Technology Act, 2000 was registered at Police Station: Shahpur Kandi, District Pathankot against the present petitioners namely Paramjit Singh and Sumanjeet Kaur."

In view of the fact as detailed in the status report that FIR has already been registered against both the petitioners, counsel for the petitioners seeks withdrawal of present petition, with liberty to address his grievance before the appropriate forum, in accordance with law.

Dismissed as withdrawn, with the liberty aforementioned.

(SANJAY VASHISTH)
JUDGE

March 03, 2023

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No