

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

**CRM-M-16923-2022
DECIDED ON: 19.01.2023**

VIJAY KUMAR GOYAL AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amitabh Tewari, Advocate with
Ms. Mahima Gupta, Advocate
for petitioners.

Mr. Rajiv Verma, DAG, Punjab.

Mr. P.S. Ahluwalia, Advocate
for respondent No.3.

SANDEEP MOUDGIL, J (ORAL)

In the instant petition challenge is to the order dated 08.04.2022 (Annexure P-1), passed by the Judicial Magistrate Ist Class, Malerkotla to the extent that the Court below has directed that the protest petition filed by respondent No.3 in FIR No.8, dated 25.01.2019, under Sections 420, 467, 468, 471, 447, 506 and 120-B of the IPC, registered at Police Station Sadar Ahmedgarh, District Malerkotla, to be treated as a private complaint and order dated 08.04.2022 (Annexure P-1A) vide which the protest petition has been registered as COMI 34-2022.

During the course of hearing, at the outset learned counsel for respondent No.3 states that though respondent No.3 will not pursue with the

protest petition but will avail the other remedies in accordance with law.

Considering the submissions made by learned counsel for respondent No.3, the impugned order dated 08.04.2022 is modified to the extent that cancellation report has been submitted by the Police, which stands accepted in toto and shall not be treated as a complaint case in any eventuality in the light of the aforesaid undertaking given by learned counsel for respondent No.3. However, respondent No.3 will be at liberty to initiate any other legal course on the same cause of action in accordance with law, if so advised to which the learned counsel for the petitioner has no objection, if the present petition is disposed of.

In the light of the aforesaid submissions and the peculiar facts, this Court does not deem it appropriate to pursue the present petition further and the same stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

19.01.2023

Poonam Negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>