

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

CRM-M-42993-2018 (O&M)

Date of decision: 27.02.2023

Ashok Kumar

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Amardeep Singh Gill, Advocate
for respondent Nos.2 and 3.

NAMIT KUMAR, J. (ORAL)

This is a petition under Section 482 Cr.P.C. seeking quashing of the impugned order dated 05.09.2018 (Annexure P-1) passed by the Ld. JMIC, Jalandhar whereby application filed by the petitioner under Section 311 Cr.PC for recalling of witnesses PW1 and PW2 for the purpose of re-examination has been dismissed in case FIR No.52 dated 13.03.2011 under Sections 420/465/467/468/471/120-B of IPC, PS Navi Baradari, Jalandhar.

Learned State counsel has produced a copy of judgment dated 21.12.2022 whereby respondent Nos.2 and 3 have been acquitted by the Ld. JMIC, Jalandhar. The relevant part of the same reads as under:-

“20. In view of the above discussion, this Court is of the considered view that prosecution has failed miserably to prove the guilt of accused beyond reasonable doubt. Ergo, accused Dinesh Kumar and Prem Kumar are hereby acquitted of charges under Sections 420, 465, 467, 468, 471 and 120-B IPC. Bail bonds and surety bonds shall stand discharged after the expiry of period of appeal or revision as the case may be. Case property if any be disposed of after the expiry of period of appeal or revision as the case may be. File be consigned to the record

room after necessary compliance by the Ahlmad.”

He further submits that nothing further survives in the petition and the same may be disposed of as having become infructuous.

Accordingly, the instant petition is disposed of as having become infructuous.

27.02.2023
Parveen kumar

(NAMIT KUMAR)
JUDGE

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