

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

207

**CRM-M-44602-2018 (O&M)
Date of Decision: January 31, 2023**

Gurdip Singh

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.G.S. Jagpal, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab

ANOOP CHITKARA J. (ORAL)

The present petition has been filed seeking quashing of order dated 27.09.2018 passed by SDJM Jagraon vide which application filed by the prosecution u/s 311 Cr. P.C. has been allowed illegally.

A perusal of the case file reveals that aggrieved person has not been arraigned as a party in the petition and this Court cannot adjudicate the matter in the absence of the aggrieved person.

Given above, the present petition is disposed of with liberty to file fresh petition after arraigning the aggrieved person as party-respondent in the petition. It is clarified that filing and disposal of the present petition shall not come in the way in case fresh petition is filed.

It is clarified that the time for which the present petition is pending before this Court, shall not be counted for the purpose of limitation as such, limitation period will start from today i.e. 31.01.2023.

All pending application(s), if any, stand disposed of.

**(ANOOP CHITKARA)
JUDGE**

January 31, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No