

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

254

CRM-M-49989-2021
Date of Decision: 24.02.2023

Balbir Singh

....Petitioner

Versus

State of Punjab and another

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. G.P.S. Bal, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

ANOOP CHITKARA, J.

Aggrieved by discharge of respondent No.2-Razia alias Rajni Arora, the complainant (petitioner herein) had come up before this Court.

Despite best efforts, the petitioner could not serve respondent No.2 and the petitioner's counsel submits that the said Razia is facing a multiple number of cases of fraud and has purposely and intentionally repeatedly shifting her residence and has become fugitive. Petitioner's counsel further submits that he has no financial or logistic capacity to find out her address at this stage. Therefore he wants to withdraw the present petition with liberty to file a fresh as and when he would be able to get address of respondent No.2. He further submits that since the delay might be caused in filing the fresh petition, he be protected from the said delay because of the reason that law enforcing authority does not provide him any assistance for collecting the addresses of the accused. Furthermore, there is no independent data bank from which he can get her address.

State counsel has no objection if the above mentioned prayer is accepted.

Prayer of the petitioner being genuine, is accepted.

Given above, the present petition is disposed of as withdrawn with liberty aforesaid. It is clarified that in case, the petitioner files a fresh petition qua same order, Registry of this Court shall not raise any objection about the maintainability of the second petition. It is further clarified that the petitioner shall be permitted to file elaborative and detailed application seeking condonation of delay.

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

24.02.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no