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

**CRM-M-45325 OF 2023 (O&M)
DATE OF DECISION : 13.09.2023**

**Sanjay Gupta and another
Versus**

...Petitioners

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. M. K. Dhot, Advocate,
For the petitioners.

Mr. Dhruv Dayal, Addl. AG, Punjab.

Mr. Ashish Chopra, Senior Advocate with
Mr. Gagandeep Singh, Advocate,
For the complainant.

ARUN MONGA, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C, seeking quashing of order dated 06.06.2022 (Annexure P-7) passed by learned Judicial Magistrate Ist Class, Ludhiana, whereby cancellation report dated 25.03.2017 (Annexure P-5) in FIR No.41 dated 30.03.2016 registered under Sections 120-B, 420, 465, 467, 468, 471 of IPC at Police Station Dugri, District Ludhiana, was not accepted by the Court

2. On advance knowledge of instant petition, learned senior counsel appears for complainant and submits that petitioners have purposely not made complainant a party knowing fully well that complainant is the actual aggrieved person on whose instance FIR has been registered.

2.1 He further points out that petitioners have already availed remedy of challenging order dated 06.06.2022 (Annexure P-7) impugned herein, by way of revision petition filed before learned Sessions Court, Ludhiana and the same was dismissed as withdrawn vide order dated 02.09.2023.

3. Confronted, learned counsel for petitioners is unable to react to same for lack of instructions and states that he has no knowledge of same. However, complainant, who is present in person, states that in the revision petition filed before learned Sessions Court, Ludhiana, complainant was a party and the same was dismissed as withdrawn in his presence.

4. In the premise, instant petition under Section 482 Cr.P.C, challenging the same order *qua* which revisional remedy had already been availed is not maintainable. Revision order is under challenge before this Court.

5. Dismissed.

6. Needless to say, petitioners are at liberty to take recourse against the order dated 02.09.2023 passed by learned Sessions Court, Ludhiana, vide which revision petition was dismissed as withdrawn.

7. Pending applications, if any, shall also stand disposed of accordingly.

SEPTEMBER 13, 2023
Shalini

(ARUN MONGA)
JUDGE

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