

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

**CRM-M-46676-2019 (O&M)
Date of decision: 31.07.2023**

BHOOMIKA SAROHA

...PETITIONER

VERSUS

RAMESH MALIK AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. KDS Hooda, Advocate for the petitioner.

Mr. Akshay Jindal, Advocate for the respondents.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking to quash the order dated 12.02.2019 passed by the learned Judicial Magistrate 1st Class, Sonipat vide which the private respondents have been ordered to be discharged for having the offence under Sections 406/506 IPC.

2. Learned counsel for the private respondents is brought to the notice of the Court that order dated 12.02.2019 vide which the charge has been framed against them under Sections 498-A/323 IPC has been assailed by them by way of revision which is pending in the Court of Sessions. Furthermore, the petitioner has approached this Court assailing the same order without availing the remedy of revision before the Court of Sessions.

3. Faced with this situation, learned counsel for the petitioner seeks to withdraw the present petition with liberty to approach the Court of Sessions assailing the order dated 12.02.2019 vide which the framing of charge with regard to the certain offences allegedly committed by the private respondents have been

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4.
- Dismissed as withdrawn with the liberty aforesaid.
5.
- However, it may be mentioned here that in the event, any such remedy is availed by the petitioner and she moves an application for condonation of delay, the fact of pendency of the petition in this Court may be considered at the time of disposal of the application.

31.07.2023
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(VIVEK PURI)
JUDGE

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