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

2024-PHHC-118384

CRM-M-11168-2024

Date of Decision: 09.09.2024

JITENDER MALIK

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE NIDHI GUPTA

Present: Mr. Narender Kaajla, Advocate for the petitioner.
Mr. Aditya Pal Singla, AAG, Haryana.
Mr. L.K. Yadav, Advocate for respondent no.2.

NIDHI GUPTA, J. (Oral)

Vide order dated 04.03.2024, parties were directed to appear before the trial Court/lllaqa Magistrate for recording of their statements with regard to the compromise dated 16.01.2024 (Annexure P-2). Thereafter, on 24.05.2024, learned counsel for the petitioners informed this Court that the statement of the parties could not be recorded on the assigned date as the cousin brother of the petitioner had expired and sought one more opportunity to get the statements recorded. As such, parties were directed to appear before the Sub Divisional Judicial Magistrate, Gohana on 11.06.2024 for recording of their statements. Thereafter, report has been received from the learned trial Court vide letter dated 03.07.2024 duly forwarded by the learned District and Sessions Judge, Sonipat, and perusal of the above said report would show that the petitioner and respondent No. 2 have appeared before the learned trial Court and suffered statements with respect to the compromise which have been found to be genuine, voluntary and without any coercion and undue influence.



2. At this stage, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to file afresh with better particulars, after removing the discrepancy in the memo of parties, and also in the FIR.

3. Permitted to do so.

4. Dismissed as withdrawn with liberty as prayed for however, subject to payment of ₹5000 to be deposited by the petitioner with Poor Patients Welfare Fund, PGIMER, Chandigarh, within 10 days from today.

(NIDHI GUPTA)
JUDGE

09.09.2024

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