

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(129)

CRM-M-14225-2024
Date of Decision:-20.03.2024

Surinder Kumar
.....Petitioner

Versus

Mahesh Kumar
.....Respondent

CORAM: HON’BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ajay Pal Singh, Advocate
for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for setting aside the impugned order dated 21.02.2024 (Annexure P-3) passed by Judicial Magistrate 1st Class-3, Abohar in complaint No. NACT/1735/2019 dated 14.12.2019 under Section 138 of Negotiable Instruments Act, vide which the application dated 21.02.2024 (Annexure P-2) for summoning of the witnesses in defence evidence submitted by the petitioner, has been dismissed.
2. At the outset, Mr. K.B. Raheja, Advocate has put in appearance and files his Memorandum of Appearance on behalf of respondent in Court today, which is taken on record and submits that the present petition has become infructuous, as the prayer made by the petitioner could not be granted for the reason that the defence evidence of the accused has already been closed by order dated 13.03.2024. Copy of the

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3. Faced with the above, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to file a fresh petition before the Court of competent jurisdiction in accordance with law.
4. In light of the above, the present petition stands dismissed as withdrawn, with the aforesaid liberty.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the liberty granted, if any, is only on the request of the counsel for the petitioner and is not a direction.

(ALOK JAIN)
JUDGE

March 20, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No