

CRR-1028-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1028-2024
Decided on: 10.07.2024

Suresh Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Satpal Bhasin, Advocate for the petitioner.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
55	29.03.2019	Sanoli	302 IPC

1. Challenging the order dated 07.02.2024 passed by Additional District and Sessions Judge, Panipat, vide which respondent No.2 was acquitted in the FIR captioned above, petitioner (father of deceased) has come up before this Court by filing the present petition under Section 401 CrPC.
2. There is a statutory provision earlier under Section 372 CrPC 1973 and now it shall be substituted by Section 413 of Bharatiya Nagarik Suraksha Sanhita 2023 for appeal against the judgment of acquittal.
3. At this stage, counsel for the petitioner wants to withdraw the present petition with liberty to file a petition under Section 413 of Bharatiya Nagarik Suraksha Sanhita 2023, along with the application for condonation of delay.
4. Given above, petition is disposed of as withdrawn with liberty as prayed for. It is clarified that time for which the present petition was pending, shall not be counted for the purpose of limitation. Since, there is no adjudication on merits as such, filing and withdrawal of present petition shall not come in the way of petitioner. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

10.07.2024
anju rani

Whether speaking/reasoned: Yes

Whether reportable: No.