

2024:PHHC:071914



120 (1st case)

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

**CRM-M No.20768 of 2024 (O&M)
Date of decision: 21.05.2024**

Amar Prabhu Goyal and another

... Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vinod Ghai, Senior Advocate assisted by
Mr. Rajesh Sheoran, Mr. Arnav Ghai & Mr. Shivam Sharma,
Advocates for the petitioners.

Ms. Manjot Kaur, AAG, Punjab for respondent No.1.

Mr. A.K.Walia, Advocate for respondent No.2/complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for quashing of impugned order dated 18.07.2022 (P-26), passed by learned Judicial Magistrate 1st Class, Bathinda, whereby application under Section 319 Cr.P.C. has been allowed and petitioners along with other co-accused have been summoned to face trial in FIR No.63 dated 29.06.2013, under Sections 167, 430, 465, 466, 467, 471, 149 & 120-B of the Indian Penal Code, 1860 and Section 3 of the Prevention of Damage to Public Property Act, 1984, registered at Police Station Sangat, District Bathinda. Further prayer is for quashing the impugned order dated 06.03.2024 (P-27), passed by learned Additional Sessions Judge, Bathinda in

2024:PHHC:071914



CRR No.68 of 2023, vide which revision petition against the aforesaid order has been dismissed.

(2) Status Report by way of an affidavit dated 06.05.2024 of Sh. Manjeet Singh, DSP, Sub Division Rural Bathinda, District Bathinda has been filed. The same is taken on record. Copy thereof supplied to the opposite side.

(3) Learned Counsel for the petitioners on instructions wishes to withdraw the present petition “at this stage” with liberty to raise all the pleas before learned trial Court, if so advised.

(4) Ordered accordingly.

(5) Needless to say that for seeking personal exemption, petitioners would be at liberty to move an appropriate application before learned trial Court and the same shall be considered sympathetically, but in accordance with law.

(6) It is clarified that above observations be not construed as an expression of opinion on merits of the case in any manner.

(7) Pending application(s), if any, shall also stand disposed off.

21st May, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No