

CRM-M-29580-2021 (O&M)
Date of decision : 25.01.2024

...Petitioners

State of Punjab and another

....Respondents

Present : Mr. Neeraj Yadav, Advocate
for the petitioners.

KULDEEP TIWARI.J. (ORAL)

1. The instant petition is filed under Section 482 of the Cr.P.C, for quashing of FIR No.0026 dated 20.01.2021, under Sections 323, 325, 355 and 34 of IPC, registered at Police Station Islamabad, District Police Amritsar.
2. Before opening the arguments, learned counsel for the petitioners submits that the petitioner No. 2, was declared innocent by the Investigating Officer, and therefore, he is not pressing the present petition *qua* the petitioner No.2.
3. The petition *qua* petitioner No.2 is dismissed as not pressed.
4. Learned counsel for the petitioner No.1 submits that the instant FIR is share abuse of criminal process of law, as earlier also, the complainant tried to implicate the petitioner in so many other false cases, and all those complaints were inquired was and found out to be false. Learned counsel for the petitioners further draws the attention of this Court to the allegations as leveled by the complainant, as well as the medical MLR *qua* the injured complainant persons, to say that there

are material contradictions which itself prove that the allegations are false in nature.

5. Be that as it may be, all the issues are disputed question of facts, which this Court cannot adjudicate in the instant motion. All the pleas can be raised by the petitioners during the trial.

6. Faced with the above difficulties, learned counsel for the petitioners prays that he may be given liberty to withdraw the instant petition, with liberty to raise all the pleas as raised in the instant petition before the learned trial Court concerned at an appropriate stage.

7. Dismissed as withdrawn with the aforesaid liberty.

8. In case the petitioner moves an application for grant of exemption from personal appearance, the learned trial Court shall consider such application in most sympathetic manner.

25.01.2024
monika

(KULDEEP TIWARI)
JUDGE

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