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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41454-2024 (O&M)
Date of decision: 28.08.2024

Nirmal Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashok Saini, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

CRM-33786-2024

1. Present application has been filed under Rule 3-Aa of Chapter VI Part B, Vol. V of the High Court Rules and Orders for grant of leave to file the petition.

2. In view of the averments made in the application, same is allowed and leave sought is granted.

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3. Present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal

Procedure, 1973 (for short 'Cr.P.C.') for quashing of FIR No.162 dated 22.10.2008 under Sections 376, 506, 452, 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station City Gurdaspur, District Gurdaspur (Annexure P-1) and the judgment of conviction and the order of sentence dated 24.08.2011 passed by learned Additional Sessions Judge, Gurdaspur as well as all the subsequent proceedings emanating therefrom, on the basis of compromise.

4. Learned State counsel, at the very outset, submits that the appeal i.e. CRA-2714-SB-2011 filed by the petitioner against his conviction is pending before this Court and as such, it would be apt for him to move an appropriate application seeking the same relief as prayed for in the present petition, in the said appeal.

5. In view of the above, learned counsel for the petitioner wishes to withdraw the present petition and seeks liberty to file an appropriate application in the aforementioned appeal filed by the petitioner against his conviction, in view of the compromise.

6. Dismissed as withdrawn with liberty aforesaid.

[HARPREET SINGH BRAR]
JUDGE

28.08.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No