

2024:PHHC:098491

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

117/3

CRM-M-50835-2022
DECIDED ON: 31.07.2024

RAJIV SHARMA

... PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sahil Gupta, Advocate for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. This is a petition under Section 482 Cr.P.C. for quashing of impugned order dated 19.1.2018 passed by Judicial Magistrate Ist Class, Barnala, vide which the petitioner has been summoned under section 319 Cr.P.C. as additional accused in FIR No.50 dated 1.3.2012, under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station City Barnala, District Barnala, and to set aside the order dated 26.10.2022 passed by Additional Sessions Judge, Barnala, vide which revision filed by the petitioner has been dismissed.

2. After arguing vehemently at length, in the light of Supreme Court judgment rendered in *Jitendra Nath Mishra v. State of UP and another, 2023 (3) SCC (Crl.) 183*, learned counsel for the petitioner seeks withdrawal of the present petition with liberty to take all such pleas at the appropriate stage.

3. The petitioner who is presently posted at State Bank of India, Lucknow, would be at liberty to move an application for appearance thorough video conferencing mode as well as deposition as witness as and when ordered by the trial Court or required by the prosecution and that application, if any so moved by the petitioner, be dealt with and decided within 3 days.
4. Prayer is accepted.
5. Dismissed as withdrawn with liberty aforesaid.
6. All other misc. application(s), if any, also stand(s) disposed of accordingly.

31.07.2024
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No