

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

119

CRM-M-46531-2024

Date of Decision : December 05, 2024

VINAY SETIA

-PETITIONER

V/S

STATE OF PUNJAB AND ANR

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Salil Dev Singh Bali, Advocate (Through V.C.)
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. The relief claimed in the instant petition appertains to quashing of: (i) FIR No.36 dated 18.04.2019, under Sections 406, 424, 506 of the IPC, registered at P.S. City Fazilka, District Fazilka; and (ii) Order dated 06.04.2024, whereby, the learned Additional Sessions Judge, Fazilka, has set aside the order dated 19.08.2021 passed by the learned Magistrate concerned and remanded the matter to the latter to frame fresh charge (if any) against the petitioner by taking note of the allegations levelled by the complainant and after affording reasonable opportunity of hearing to the parties.

2. The learned counsel for the petitioner submits that, during pendency of the instant petition, the learned Magistrate concerned has, without adhering to the directions (supra) passed by the learned Additional Sessions Judge, again framed charges against the petitioner through drawing the order dated 25.11.2024. Therefore, he seeks leave to

withdraw the instant petition, however, with liberty to assail the order dated 25.11.2024 before the revisional court concerned.

3. Leave granted.
4. Consequently, the instant petition is **dismissed as withdrawn**, however, with liberty (supra).

December 05, 2024
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(KULDEEP TIWARI)
JUDGE

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