



CR-6321-2024

-1-

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

(115)

CR-6321-2024

Date of Decision: - 13.11.2024

Sulinder Pal**....Petitioner****Versus****Paramjit Kaur and another****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Vikas Kumar Gupta, Advocate,
for the petitioner.

Mr. Animesh Sharma, Advocate
for the respondents-Caveator.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 30.05.2022 (Annexure P-5) whereby the appeal filed by respondent No.1 was allowed and application for withdrawal of warrant of possession was dismissed and to restore the order dated 13.01.2020 passed by the Executing Court.

2. Learned counsel for the petitioner has submitted that the petitioner had earlier filed a petition bearing CRR-1404-2022 titled as 'Sulinder Pal Vs. Paramjit Kaur and another' and vide order dated 20.08.2024, the said petition was withdrawn in view of the judgment passed by the Coordinate Bench of this Court in **CRM-M-19553-2023**



CR-6321-2024

-2-

titled as “*Jaspal Kaur alias Pinki and others vs. State of Punjab and others*” decided on 24.04.2023. It is submitted that as per the judgment dated 25.10.2024 of the Division Bench of this Court passed in *CR no.3407 of 2024* titled as “*Hemant Bhagat and others vs. Prekshi Sood Bhagat and other connected matters*” the petition under Section 482 Cr.P.C. has been held to be maintainable. It is submitted that in view of the bar under the Cr.P.C., the order dated 20.08.2024 passed in CRR-1404-2022 cannot be recalled and thus, the petitioner be permitted to withdraw the present petition with liberty to file a fresh petition under Section 482 Cr.P.C.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

November 13, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No