



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264

CRM-41064-2024 in/and
CRM-M-50668-2019
Date of Decision: 28.11.2024

AKASH MASIH @ GULLU AND ORS

...Petitioners

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Sandeep Godara, Advocate for
respondents No.2 and 3

HARPREET KAUR JEEWAN , J.

CRM-41064-2024

1. Prayer in the present application is for restoration of the main petition bearing No.CRM-M-50668-2019, which was dismissed for want of prosecution vide order dated 12.09.2024 passed by this Court.
2. Learned counsel for the applicants/petitioners submits that there was a mistake in non-appearance, which was *bona fide* and not intentional. The application is submitted by duly sworn affidavit of Pankaj Kumar, Clerk of Sh. Ajay Pal Singh Rehan, Advocate.
3. In the interest of justice as well as considering that the matter



should be decided on merits, the order dated 12.09.2024, which was not on merits, is recalled.

- 4. The petition bearing No.CRM-M-50668-2019 is restored to its original number.
- 5. Application stands disposed of.

Main case

- 1. Faced with the situation that all the accused are neither on anticipatory bail nor on regular bail, learned counsel for the petitioners seeks to withdraw the present petition with liberty to file fresh petition at appropriate stage.
- 2. Dismissed as withdrawn with the aforesaid liberty.
- 3. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

28.11.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No