

CRM-M-3182-2018 (O&M)
Date of Decision: 07.08.2024

SURINDER PAL AND ORS ...Petitioner(s)
Vs.
UMA SHANKAR AND ANR ...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present: Mr. Arun Jindal, Advocate
for the petitioner.

Mr. H. P. Singh, Advocate
for the respondents.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure with a prayer to quash/set aside the order dated 05.12.2017 (Annexure P-4) passed by the learned Sub-Divisional Magistrate, Malerkotla in petition under Section 133 Cr.P.C. bearing case No.3/SDM instituted on 24.07.2017 titled as “Uma Shankar and another Vs. Resham Lal and other”.
2. Learned counsel for the parties have agreed that with the consent of the parties, the impugned order dated 05.12.2017 (Annexure P-4) passed by the learned Sub-Divisional Magistrate, Malerkotla may be set aside, however they pray that appropriate directions may be issued to the learned Sub-Divisional Magistrate, Malerkotla to decide the main petition under Section 133 Cr.P.C. in a time bound manner.
3. I have heard learned counsel for the parties and perused the record.
4. In view of the submissions made by the learned counsel for the parties, the impugned order dated 05.12.2017 (Annexure P-4) passed by the learned Sub-Divisional Magistrate, Malerkotla is set aside.

5. The learned Sub-Divisional Magistrate, Malerkotla is directed to decide the main petition under Section 133 Cr.P.C. within a period of three months from today after granting opportunity of leading evidence and hearing both the sides.

6. With these observations, the present petition stands disposed off.

07.08.2024
M.Sikka

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No