

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

CRM-M-4920-2018 (O&M)

Date of Decision : **12.02.2024**

BUDH SINGH AND OTHERS

.....Petitioners

VERSUS

RAJWINDER KAUR

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Sunil Chadha, Sr. Advocate with
Ms. Kashish Aggarwal,
for the petitioners.

Mr. Bhuvan Vats, Advocate,
for the respondent.

KULDEEP TIWARI. J.(Oral)

1. The instant petition, as cast under Section 482 of the Cr.P.C., proffers the hereinafter extracted relief, as craved by the petitioner, inasmuch as, quashing of the complaint bearing No.COMI/48/2014, dated 27.08.2014 (Annexure P-1) filed under Sections 494, 420 and 120-B of the IPC, which pending before Sub Divisional Judicial Magistrate, Sultanpur Lodhi, and also the summoning order dated 09.10.2015 (Annexure P-2).

2. The petitioners also challenged the aforesaid summoning order by filing statutory revision petition before the revisional court concerned, however, the same was dismissed vide judgment dated 31.10.2017 (Annexure P-3), which is also impugned before this Court

3. Today, learned senior counsel for the petitioner has placed a zimni order dated 21.10.2022, passed by the learned trial Court concerned, whereby, the complaint was ordered to be dismissed in default.

4. Though, learned counsel for the respondent/complainant is present in the Court, he is unable to point out whether the complaint has been restored or not, or any other alternative remedy has been availed by the respondent *qua* the order of dismissal in default or not.

5. In view of the above, the instant petition is ordered to be rendered infructuous as no cause of action survive in favour of the petitioners.

6. Dismissed as having been rendered infructuous.

7. Though till date no action has been taken by the complainant to revive the complaint, however in case, in future the respondent/complainant succeeds to get the complaint revived, the petitioners are also at liberty to get revive the instant petition.

February 12, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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