



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CRM-37781-2025 in
CRM-37782-2025 in/and
CRM-M-2100-2022

Deepak Pahuja

...Petitioner

VERSUS

State of UT Chandigarh

...Respondent

Date of Decision : 23.09.2025

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Manjot Gujral, Advocate
for the petitioner. (through V.C)

Mr. Ankur Bali, Addl. Public Prosecutor, UT, Chandigarh.

AARADHNA SAWHNEY, J. (ORAL)

CRM-37781-2025

By virtue of this application under Section 528 BNSS, 2023, petitioner prays for preponing the date of hearing in the main case from 26.11.2025, on the ground that he wishes to withdraw the main case due to change of circumstances.

For the reasons mentioned in the application, the same is allowed, the date of hearing in the main case i.e. CRM-M-2100-2022 is preponed and the same is taken on board today itself.

**CRM-37782-2025 in/and
CRM-M-2100-2022**

By virtue of this application under Section 528 BNSS, 2023, filed by the applicant-petitioner, prayer is made for granting permission to withdraw the main case i.e. CRM-M-2100-2022.

A perusal of the documents on record reveal that the petitioner was convicted under Section 61(1)(a) proviso (vii) of the Punjab Excise Act, 1914. He was sentenced to undergo RI for six months along with fine of Rs.1 lac vide judgment and order of quantum of sentence dated 24.11.2021 passed by learned JMIC, Chandigarh.

Said judgment was assailed before the learned First Appellate Court. Learned First Appellate Court while admitting the appeal, passed the following order on 20.12.2021:



“File put up before me as Sh. Narender, Ld. Addl. Sessions Judge, Chandigarh is on leave today. Criminal appeal received by assignment with the concerned court. Heard. Arguable points are involved in the appeal. Therefore, the appeal is admitted for hearing. It be checked and registered. Notice of the appeal and application u/s 391 r/w 311 Cr.P.C be issued to the respondent for 08.04.2022.

Heard on the application moved by appellant for suspension of sentence. Since the appeal has been admitted and will take some time to determine, it is ordered that during the pendency of the appeal, substantive sentence awarded by Ld. Trial Magistrate will remain suspended subject to appellant furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Ld. Trial Court/Duty Magistrate and deposit the imposed fine within 15 days from today. Bail bonds, if any, be remitted to this court. Let a copy of this order be sent to ld. Trial Court. Lower Court record be summoned for that date. File be sent back to concerned court.”

Feeling dissatisfied, petitioner preferred the main petition bearing CRM-M-2100-2022 averring therein that he belongs to economically weaker section, and does not possess the requisite financial resources to deposit the fine amount of Rs.1 lac.

Learned counsel for the petitioner submits that the petitioner is now willing to deposit the fine amount and thus he wishes to withdraw the present main petition.

Prayer is accepted.

Main petition i.e. CRM-M-2100-2022 is hereby dismissed as withdrawn.

(AARADHNA SAWHNEY)
JUDGE

23.09.2025
manoj

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No