

2025:PHHC:085082



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

**CRM-M-18873-2025
Date of Decision:11.07.2025**

Ashok Kumar Sandhu and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vishal Deep Goyal, Advocate
for the petitioner(s).

Ms. Simran Gorla, AAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.48 dated 02.04.2017 under Sections 420, 465, 468, 471, 120-B of IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. Learned counsel for the petitioners submits that the earlier petition filed by the petitioners was withdrawn, however, now the challan has been presented and hence, the present petition is maintainable.

3. On hearing, learned counsel for the parties and perusal of the record, it is transpired that in the earlier petition filed by the petitioners i.e. CRM-M-736-2019 titled as “*Ashok Kumar Sandhu and another Vs. State of Punjab and another*”, this Court had issued notice of motion and further proceedings were stayed vide order dated 11.01.2019. Thereafter, the said

petition was dismissed as withdrawn vide order dated 23.08.2024, which is reproduced as under:-

“1. Petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.48, dated 02.04.2017, under Sections 420, 465, 468,471 and 120-B IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. Learned counsel for the petitioners stated that as far now he has the instructions to withdraw the present petition with liberty to seek appropriate remedy as per law.

3. In view of the statements, the present petition stands dismissed as withdrawn, at this stage.

4. Pending miscellaneous application(s), if any, stand disposed of accordingly.”

4. A perusal of the above said order would show that petitioners had withdrawn that petition without any liberty to file a fresh.

5. In such circumstances, this Court is of the opinion that the present petition is not maintainable and the same is hereby stands dismissed. However, the petitioners would have liberty to avail their remedies as available to them in accordance with law.

11.07.2025

Parveen kumar

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No