



CRM-M No.88-2025 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No.88-2025 (O&M)
Date of Decision: 27.01.2025

Sukhwinder @ Sukha and anotherPetitioners

Versus

State of U.T. ChandigarhRespondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sudesh K. Khurcha, Advocate for the petitioners.

Mr. J.S.Toor, Addl.PP, UT, Chandigarh.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') [earlier under Section
482 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.')] for quashing
of impugned order dated 02.12.2024 (P-11) passed by learned Judicial
Magistrate First Class, Chandigarh whereby application of petitioners filed
under Section 311 Cr.P.C for recalling of witness PW-6 Shiv Charan,
Investigating Officer was dismissed in FIR No.334 dated 14.11.2017 (P-1),
registered under Sections 379, 473 and 411 of Indian Penal Code, 1860 (for
short, 'IPC') at Police Station Sector-11, Chandigarh.

2. Learned counsel, on instructions from petitioners, wishes to
withdraw the petition with liberty to raise their pleas before learned trial
Court at appropriate stage(s), if so advised.

3. Disposed off with liberty aforesaid.

4. The above observations be not construed as an expression of
opinion on merits of the case in any manner.



Pending application(s), if any, shall also stand disposed off.

27.01.2025 (MAHABIR SINGH SINDHU)
Rajeev (rvs) JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No