

CR-3688-2024

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2026:PHHC:009522



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-3688-2024

Date of decision : 22.01.2026

Jimmi @ Jimmy Kapoor

... Petitioner

Versus

Pritpal Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Sunny K. Singla, Advocate
for the petitioner.

Mr.Gaurav Vir Singh Behl, Advocate and
Mr.Sagar Behl, Advocate
for respondent no.1.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India against impugned judgment dated 01.10.2021 (Annexure P-8) passed by the Additional Sessions Judge, Sangrur vide which the order dated 07.04.2021 passed by the Civil Judge (Jr. Div.), Malerkotla, has been set aside.

2. Learned counsel for the petitioner has submitted that earlier the petitioner had filed criminal revision petition i.e., CRR-1182-2021 which was held to be not maintainable in view of the law laid down by the learned Single Judge at that time. It is submitted that thereafter the present revision



petition has been filed but the view taken by the learned Single Judge has been reversed by the judgment of the Hon'ble Division Bench.

3. On 30.10.2025, this Court was pleased to pass the following order:-

*“Present: Mr. Gaurav Vir Singh Behl, Advocate
for the applicant-respondent No.1.*

Learned counsel for the applicant has submitted that in view of the Division Bench judgment of this Court in the case of Hemant Bhagat and others Versus Prekshi Sood Bhagat (Civil Revision No.3407 of 2024), the present revision petition is not maintainable.

Notice to the counsel for the petitioner/ non-applicant for 04.11.2025.

To be shown in the urgent list.

October 30th, 2025”

4. Learned counsel for the petitioner in view of the same and in view of the objection raised by learned counsel for respondent no.1 has submitted that the petitioner be permitted to withdraw the present petition with liberty to file a fresh petition under Section 528 of the BNSS. It is submitted that however the respondent no.1 be directed not to raise objection with respect to maintainability of the second petition in view of the earlier order dated 29.05.2024 passed in the criminal revision petition (CRR-1182-2021).

5. Learned counsel for the respondent no.1 has submitted that in case any such fresh petition is filed, the respondent no.1 would not raise



any objection with regard to maintainability of second petition under Section 528 of the BNSS.

6. In view of the above, the present revision petition is dismissed as withdrawn with the aforesaid liberty.

7. It is made clear that it would be open to both the parties to raise all pleas on merits of the case and the respondent no.1 would not raise any objection of maintainability with respect to filing of the second petition under Section 528 of BNSS.

(VIKAS BAHL)
JUDGE

January 22, 2026.
Davinder Kumar

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