

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

**CRM A-1733-MA of 2015**  
Date of Decision : November 30, 2015

Gurdev Singh .....Applicant

**VERSUS**

State of Punjab and others .....Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN  
HON'BLE MR. JUSTICE GURMIT RAM**

Present : Mr. Vikas Cuccria, Advocate  
for the applicant.

**T.P.S. MANN, J. (Oral)**

The complainant has filed the present application under Section 378 (4) Cr.P.C. for grant of special leave to appeal against the order dated 29.7.2015 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Moga.

Vide impugned order, learned Judicial Magistrate found no ground to summon the accused i.e. respondents No. 2 and 3 to face trial in the case.

Against the impugned order, the applicant, who is the complainant, does not have the remedy of special leave to appeal as the complaint has been dismissed at the stage of summoning.

Faced with the above, learned counsel for the applicant submits that he may be allowed to withdraw the application with liberty to the applicant to seek any other remedy available to him under the law.

Dismissed as withdrawn with liberty aforementioned.

**( T.P.S. MANN )  
JUDGE**

**November 30, 2015**

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**( GURMIT RAM )  
JUDGE**