

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MMO No. 1074 of 2025

Date of Decision : 24.11.2025

Daya Ram

...Petitioner

Versus

Gulab Chand Sharm (deceased) through his LRs

....Respondent

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting? ¹ No.

For the petitioner : Mr. Kamal Sharma, Advocate.

Rakesh Kainthla, Judge (Oral)

Learned counsel for the petitioner has conceded that the application was filed under Section 65 of the Indian Evidence Act. He submits that the application should have been filed under Section 67/63 of the Indian Evidence Act and seeks permission to withdraw the present petition with liberty to file an appropriate application before learned Trial Court.

2. In view of this, the present application is dismissed as withdrawn, so also the pending miscellaneous application(s), if any.

¹ Whether reporters of Local Papers may be allowed to see the judgment? Yes.

3. The petitioner may move an appropriate application if otherwise permissible under law.

(Rakesh Kainthla)
Judge

24th November, 2025
(Chander)