

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

CRM-M- 23340 of 2014 (O&M)

Date of Order: 29.09.2015

Birenderpal Singh

....Petitioner

Versus

Sukhdev Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. J.S. Gill, Advocate for the petitioner.

Mr. K.B.S Mann, Advocate for the respondent.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J (ORAL)

Prayer is for quashing of Complaint No.471 dated 22.01.2009/08.08.2011 titled as Sukhdev Singh Vs. Amarjit Singh and Ors (P.2) as well as the Summoning Order dated 13.11.2013 (P.3) passed by the learned Addl. Chief Judicial Magistrate, Sri Muktsar Sahib as also the order dated 22.05.2014 whereby the charges have been framed against the petitioner.

Learned counsel for the petitioner has argued that apart from merits of the case, the fact to be noticed is that the proceedings against the petitioner were stayed on 21.08.2014 and now the remaining five similarly situated co-accused have been acquitted of the charges.

Learned counsel for the respondent has not disputed the aforesaid fact. As per him, no useful purpose would be achieved in continuing of further proceedings and the same would be an abuse of the process of law.

In these circumstances, I find weight in the submissions of learned counsel and of the view that inherent jurisdiction of this Court can be exercised under Section 482 Cr.P.C., in order to prevent abuse of process of law and to achieve ends of justice in quashing above said Complaint No.471 dated 22.01.2009/08.08.2011 titled as Sukhdev Singh Vs. Amarjit Singh and Ors (P.2) as well as the Summoning Order dated 13.11.2013 (P.3) passed by the learned Addl. Chief Judicial Magistrate, Sri Muktsar Sahib and all other subsequent proceedings arising therefrom.

Ordered accordingly.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

September 29, 2015
manoj

(AJAY TEWARI)
JUDGE