

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

226

CRM-M-34557-2013

Decided on : 12.03.2015

Raghbir Singh @ Bhira

... Petitioner

Versus

Kundan Lal

... Respondents

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.K.S.Dadwal, Advocate
for the petitioner.
Mr.Nitish Garg, Advocate, Legal Aid Counsel
Mr.M.S.Dhami, Advocate for the respondent.

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

Hari Pal Verma, J. (Oral)

Prayer in this petition is to quash the complaint under Sections 452, 347, 392, 504, 506, 120-B, IPC which was registered vide CRM-14/13 dated 08.08.2013 (Annexure P/3).

This Court vide order dated 10.10.2013 has passed the following order :-

Learned counsel for the petitioner submits that the petitioner along with four accused was granted benefit of probation for a period of one year vide judgment dated 20.04.2010 passed by learned Sessions Judge, Shaheed Bhagat Singh Nagar. In the complaint dated 19.08.2010 (Annexure P-2), the petitioner was not the respondent still notice was issued to the petitioner and on the basis of that, order dated 12.09.2013 has been passed and the petitioner has been summoned for 23.10.2013, which is contrary to facts whereas the petitioner would not have been summoned.

Notice of motion for 10.12.2013.

Meanwhile, operation of impugned orders dated 08.08.2013 (Annexure P-4) and 12.09.2013 (Annexure P-5) shall remain stayed.”

Though no reply has been filed in the petition. However, learned counsel for the respondent submits that he has no objection if

the complaint dated 08.08.2013 (Annexure P/3) and summoning order dated 08.08.2013 (Annexure P/4) are quashed qua the petitioner, namely, Raghbir Singh @ Bhira son of Bachhitar Singh, as the petitioner has not violated the terms and conditions as contained in the judgment dated 20.04.2010 (Annexure P/1) passed by learned District and Sessions Judge, Shaheed Bhagat Singh Nagar, whereby the petitioner was released on probation for a period of one year.

In view of the categorical statement made by learned counsel for the respondent, the present petition is allowed and the complaint dated 02.08.2013 (Annexure P/3) and summoning order dated 08.08.2013 (Annexure P/4) are quashed qua the present petitioner, namely, Raghbir Singh @ Bhira only.

[Hari Pal Verma]
Judge

12.03.2015
sd