

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

CRM No.M-33748 of 2013

Date of decision: February 23, 2016.

Satpal Singh

... **Petitioner**

v.

Sunil Kumar and another

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. Tara Chand Dhanwal, Advocate for the petitioner.

Mr. M.S. Sidhu, Additional Advocate General, Haryana.

Mr. Sahil Gambir, Advocate for respondent No.1.

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

Kuldip Singh, J. (Oral):

Respondent No.1 does not want to file reply.

Present petition is for quashing the complaint case No.RBT-7-1 of 8.11.2011/5.7.2013 titled as "Sunil Kumar v/s Satpal Singh and another" (Annexure P-7) and the summoning order dated 5.7.2013 (Anexure P-8) passed by learned Judicial Magistrate First Class, Hisar.

Heard.

Learned counsel for the petitioner contends that the petitioner had lodged an FIR against respondent No.1 and the present complaint has been filed as a counter-blast. On the other hand, learned counsel for the respondent has informed this Court that the prosecution evidence is already concluded and the case is now fixed for recording the statement of accused under Section 313 Cr.P.C. I am of the view that since evidence has already been recorded on merits, it is not deemed proper to comment on the evidentiary value of the

statements of any of the witnesses which may prejudice one or the other party.

As such, present petition is disposed of with liberty to the parties to raise all the available pleas before the lower court which shall hear them and decide the complaint on merits.

February 23, 2016.
kadyan

[Kuldip Singh]
Judge