

CRM-M-32003-2016

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

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Date of Decision: 09.09.2016

Baldev Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepak Vashishth, Advocate,
for the petitioners.

INDERJIT SINGH, J.

Petitioners, Baldev Singh, Sandeep Singh, Jagdish Singh, Pardeep Singh and Baljeet Kaur, have filed this petition under 482 Cr.P.C. for quashing of DDR No.23 dated 16.01.2014, registered at Police Station Khilchiyan, under Sections 452, 326, 324, 506, 148 and 149 IPC in cross FIR No.111 dated 25.11.2013, registered at Police Station Khilchiyan, District Amritsar, under Sections 326, 324, 506, 148 and 149 IPC.

I have heard learned counsel for the petitioners and perused the record.

From the record, I find that challan has not been presented so far and investigation is still going on. DDR No.23 dated 16.01.2014, copy thereof has been placed on record as Annexure P-2, was recorded on the

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statement of Salwinder Singh. As per the said DDR, at about 10.00/10.30 A.M., Sandeep Singh, Baldev Singh son of Harbhajan Singh, Jagdish Singh, Baldev Singh, Gurdev Singh, Pradeep Singh and Baljeet Kaur, who were holding *datar* and swords, came to the house of Panthjeet Singh; Sandeep Singh attacked on the head of Salwinder Singh with his *datar* and that these persons also injured the persons namely Panthjeet Singh, his mother Rajwant Kaur and sister-Gangandeep Kaur. When they shouted “*being killed-killed*”, the above named assailants ran away from the spot along with their respective weapons.

From the record, I find that this is a case of version and cross-version in which investigation is going on. There is nothing on record to show that it is a counter-blast to FIR No.111 dated 25.11.2013 which has been registered against the complainant party and that a false case has been registered against the petitioners. Moreover, the said FIR has been registered under Section 326 IPC. The investigating officer is still collecting the evidence. The investigation is going on and challan has yet not been presented, as argued.

At this stage, there is nothing to show that the cross-version is false or the petitioners have been falsely implicated. There is also nothing to show that registration of DDR qua cross-version to the FIR amounts to miscarriage of justice or abuse of process of law. The instant petition appears to be filed at a pre-mature stage, therefore, I do not find any ground to quash the DDR in question.

As a result of above discussion, finding no merit in the present

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petition, the same is dismissed.

09.09.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No