
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.152

CRM NO. M-35367 of 2016
DECIDED ON: October 03, 2016

IQBAL SINGH AND ANOTHER

..PETITIONERS

VERSUS

JASWINDER SINGH @ SHINDA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Dhawan, Advocate,
for the petitioners.

JASPAL SINGH, J.

By virtue of the instant petition preferred under Section 482 Cr.P.C., petitioners have sought the quashing of order dated July 25, 2016, passed by JMIC, Nakodar, whereby the application filed by the petitioners for clubbing the complaint case bearing RBP No.52/1/15, having registration No.COMI 140/2013 dated 08.03.2011 titled as “Jaswinder Singh @ Shinda versus Magh Singh & others”, under Sections 324, 326,

341, 452, 148, 149 IPC with State case titled as State case titled as “State versus Sucha Singh & others”, bearing FIR No.75, dated June 30, 2010, under Sections 447, 452, 323, 427, 379, 148, 149 IPC, registered at Police Station Mehatpur, District Jalandhar has been dismissed.

2. The contention of learned counsel for the petitioners is that the State case captioned as “State versus Sucha Singh & others”, bearing FIR No.75, dated June 30, 2010 as well as complaint titled as “Jaswinder Singh @ Shinda versus Magh Singh & others” Registration No.COMI 140/2013 dated 08.03.2011 are outcome of one of the same occurrence. The challan has been presented by the police after investigation against Sucha Singh & others. Since, no action was taken on the complaint filed by the Jaswinder Singh, the regular complaint was filed in the court, which is also pending for disposal. Without clubbing or connecting the above stated matters, it is likely to cause grave prejudice to the petitioners. It will have also effect on the defence to be taken by the petitioners.

3. This court has given a deep thought to the aforesaid submissions made by learned counsel for the petitioners but find the same to be without any factual substance. As far as the case titled as “State versus Sucha Singh & others” is concerned, which is based upon the occurrence, alleged to have taken place on June 29, 2010 at 9.00 pm, whereas in the complaint case captioned as “Jaswinder Singh @ Shinda versus Magh Singh & others”, the occurrence is alleged to have taken place on June 30, 2010 at 7:30 am. Since, both the occurrences are different, as such, the clubbing of State case with complaint case is not legally and factually justified.

4. This court has also scrutinized the impugned order dated July

25, 2016 but does not find any illegality or impropriety in it. Thus, instant petition being devoid of merit is dismissed.

October 03, 2016
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No