

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

**CRM No.M-40604 of 2015 (O&M)**  
**Date of Decision: July 21, 2016**

Ajit Singh

...Petitioner

**VERSUS**

State of Punjab and others

...Respondents

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

Present: Mr.N.K.Joshi, Advocate  
for the petitioner.

Mr.Varun Sharma, Asstt. Advocate General, Punjab  
for the respondent-State.

Mr.H.S.Gill, Senior Advocate with  
Mr.Vivek Goyal, Advocate  
for respondent No.4.

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**INDERJIT SINGH, J.**

The petitioner has filed this petition under Section 482 Cr.P.C. for issuance of appropriate direction to respondents No.2 and 3 for taking immediate steps to file police report/challan under Section 173 Cr.P.C. against respondent No.4 under Sections 323 and 324 IPC as recorded and mentioned in challan/supplementary challans in case FIR No.158 dated 24.06.2010 under Sections 307, 323, 324, 452 and 34 IPC etc.

Notice of motion was issued and learned State counsel as well as learned counsel for respondent No.4 appeared and contested the petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

At the time of arguments, it is admitted that in the main FIR registered under Sections 307 and 323 IPC etc., Section 302 IPC has been added later on and the present petitioner has been convicted. The FIR is of 2010. It is argued by learned counsel for the petitioner that in the report under Section 173 Cr.P.C. and later on in two supplementary challans, it has been mentioned that DSP investigated the matter in cross-version under Sections 323, 324 IPC and the challan would be presented but till today, no challan has been presented.

First of all, if the police has not presented the challan for the last about six years and the main FIR case has already been decided against the present petitioner, then the remedy with the petitioner was either to file application at that time before the trial Court to ask for the status of cross-version or press for the presentation of cross-version or petitioner had the alternative remedy to file the complaint. The son of the present petitioner filed the criminal complaint as is stated in the reply by the State, which was dismissed in default and that complaint was not pursued by the present petitioner or his son. There is no explanation as to why that complaint in cross version was not pursued by them.

In view of the above discussion, I do not find any merit in the present petition and the same is dismissed.

**July 21, 2016**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**