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

**Civil Revision No.4171 of 2017
Date of Decision: 23.08.2017**

PARDUMAN SINGH AND ANR.

.....Petitioners

Vs

BALWINDER KAUR AND ORS.

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ashok Giri, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioners have assailed the order dated 10.04.2017 passed by the Addl. Civil Judge (Sr. Divn.) Samrala vide which applications filed by the petitioners/convicts of the criminal case for stay of the civil suits till decision of criminal appeal by this Court were dismissed.

[2]. Petitioners are accused in a murder case for which they were convicted and sentenced for life under Section 302 IPC by the Court of Sessions. They have filed criminal Appeal i.e. CRA-D No.1622-DB of 2013 titled '*Gurwinder Singh @ Gora vs. State of Punjab*' which is pending before this Court. A suit for recovery of damages/compensation on account of death of

Harjinder Singh was filed by the plaintiffs/legal representatives of deceased Harjinder Singh which is pending before the trial Court.

[3]. It is a settled law that criminal and civil cases can go simultaneously. Civil suit cannot be stayed on the ground of pendency of criminal case. Civil cases are to be decided on the basis of preponderance of probabilities of evidence, whereas criminal cases are to be decided on the basis of proving the guilt beyond reasonable doubts. In view of ratio of laid down in **Iqbal Singh Marwah and Anr vs. Meenakshi Marwah and Anr. (2005) 4 SCC 370**, both civil and criminal cases can go simultaneously.

[4]. In view of above, there is no error of jurisdiction committed by the trial Court. This revision petition is accordingly dismissed.

August 23, 2017

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No