

CRM-M-24018 of 2017

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

CRM-M-24018 of 2017
Date of Decision: 11.07.2017

Baljinder Singh and others

....Petitioners

Versus

Harjinder Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. J.S. Jaidka, Advocate, for the petitioners.

RAMENDRA JAIN, J. (ORAL)

In the instant petition under Section 482 Cr.P.C., prayer has been made for quashing the criminal complaint No.07/25-08-2015 titled 'Harjinder Singh v. Baljinder Singh and others' under Sections 323, 324, 458, 148, 149, 506 IPC (Annexure P-1) pending in the Court of learned JMIC, Malerkotla, and the summoning order dated 18.03.2017 (Annexure P-2).

Learned counsel for the petitioners contends that earlier a DDR No.34 dated 05.02.2015 was lodged by Jagdip Singh – respondent No.2 at Police Station Sandorh, District Sangrur that on 03.02.2015 he along with Baljinder Singh petitioner at about 9.30 p.m. was attacked near Village Maanki by respondent No.1 and his accomplices. Respondent No.1 Harjinder Singh gave a sword blow on his head and his accomplice Bhupinder Singh gave baseball blow on his hip. They were brought to Government Hospital, Malerkotla by one Jasvir Singh. To take revenge

against recording of the aforesaid DDR, the respondents have now filed a false criminal complaint against the petitioners in which they have been

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summoned vide order dated 18.03.2017 (Annexure P-2). From the contents of the complaint, it is evident that the same has been filed on account of property dispute.

Heard.

The impugned summoning order against the petitioners has been passed after recording the statements of nine witnesses by the trial Court. The learned Magistrate has categorically observed that ocular version of the complainant as well as eyewitness account coupled with the medical opinion *prima facie* discloses the commission of offence under Sections 323/458/148/149/506 IPC.

Learned counsel for the petitioners has not been able to put forth any justifiable reason to contradict the above finding of learned Magistrate in the impugned summoning order.

Thus, finding no merit in this petition, same is hereby dismissed.

July 11, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No