

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

CRM No.M-25091 of 2017 (O&M)

Date of Decision: July 17, 2017

Tarsem Singh alias Tarsem Lal and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Tarun Vir Singh Lehal, Advocate,
for the petitioners.

INDERJIT SINGH, J.

The petitioners have filed this petition under Section 482 Cr.P.C. against respondents State of Punjab and Bau Masih for quashing the complaint No.795/2014 titled as Bau Masih vs. Tarsem Singh @ Tarsem Lal dated 01.12.2014 and summoning order dated 01.02.2017.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that FIR has been got registered in this case bearing No.273 date 14.09.2013 under Sections 323, 342, 148, 149 and 506 IPC. A cross version was also got registered but in the complaint, the complainant in para No.6 has stated that the police is not interested to conduct serious and fair investigation into the matter in question. Even the police has not registered the cross version under the appropriate provisions of law and the perusal of the above referred averments clearly goes to show

that the provisions of section 452 and 506 IPC are also attracted. Therefore, complaint has also been filed.

As the complainant Bau Masih is not satisfied with the cross-version got recorded by the police, therefore, he has filed the criminal complaint under other Sections also i.e. 452 and 506 IPC. As this complaint is a cross-version, therefore, trial Court will determine as to who was the aggressor party and whose version is correct one. Even if challan is presented in cross-version, even then, this complaint cannot be quashed. At the most, it can be consolidated with the cross-version or it can be decided together with the main FIR and cross-version. At this stage, no ground is made out for quashing the complaint and summoning order. Furthermore, summoning order has not been challenged by filing revision petition.

Therefore, finding no merit in the present petition, the same is dismissed.

July 17, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No