

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26216-2016
Date of decision : 02.03.2017

Jaspal Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S.Sullar, Advocate, for the petitioners.

Mr. Mehardeep Singh, Additional Advocate General, Punjab,
for respondent No.1.

None for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure, for quashing of FIR No.270 dated 08.12.2010, registered under Sections 307, 506, 148, 149 and 201 of the Indian Penal Code and Sections 25 and 27 of the Arms Act, at Police Station Rajpura City along with all consequential proceedings arising therefrom.

Learned counsel for the petitioners submits that the present FIR was registered on the statement of Manish Kumar son of Rajinder Pal against the present petitioners and 14 other persons wherein it was alleged that all accused persons, including the petitioners, had caused injuries to the complainant and two other persons. He further submits that out of 16 accused, present petitioners and co-accused Davinder have been declared juvenile whereas the remaining accused have been acquitted by learned Additional Sessions Judge, Patiala, vide judgment dated 17.12.2015.

Learned State counsel refers to the reply filed by the State to

submit that challan has already been presented against the petitioners based on material placed on record and the police has no intention to file supplementary challan.

I have heard learned counsel for the parties and gone through the record of the case.

In the present case, the allegations against the petitioners are that they had given injuries to the complainant party and that both petitioners were armed with sticks. Apart from the petitioners and co-accused Davinder, all other co-accused have been acquitted. The petitioners being juvenile are yet to undergo trial. In view of the allegations against the petitioners, the present petition is dismissed.

However, considering the fact that the FIR in question pertains to the year 2010, and since other co-accused have been acquitted, the Juvenile Justice Board is directed to make an endeavour to expeditiously conclude the trial.

02.03.2017
adhikari

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No