

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

CRM-M-28691 of 2013

Date of decision: 27.07.2017

Joginder Singh

... Petitioner

vs.

Ranjit Singh & Ors.

... Respondents

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

* * *

Present : Mr. Munish Gupta, Advocate
for the petitioner.

None for the respondents.

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ARVIND SINGH SANGWAN, J.(ORAL)

This is a petition under Section 482 Cr. P. C for quashing the order dated 08.08.2013 passed by Judicial Magistrate Ist Class, declining the prayer of the petitioner for summoning the case file in Civil Suit No.312 of 2013 and to try and decide the civil suit alongwith aforesaid criminal complaint. The petitioner, on an earlier occasion had filed CRM-M-946 of 2013 -Joginder Singh Vs. Ranjit Singh & Ors. with identical prayer for transferring the complaint No.76 dated 01.12.2005 to the Court where the aforesaid civil suit was pending.

Vide order dated 29.01.2013 (Annexure P-7) the petition was dismissed and it was held that while criminal case is at the stage of its conclusion and therefore holding that no reason for directing the transfer of cases is made out, the petition was dismissed.

Counsel for the petitioner submits that he has again approached the trial Court where the criminal complaint is pending for summoning the case file of the civil suit which stands adjourned sine die, however, by the

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impugned order, the prayer has been declined.

After hearing counsel for the petitioner, I find that prayer made in this petition is identical to the prayer earlier made in CRM-M-946 of 2013 and the same was dismissed. Since the suit as well as the criminal complaint are still pending before the trial Court, the suit having been adjourned sine die without any valid reason, it is directed that both the proceedings will be decided by the trial Court/civil Court within a period of 6 months from today.

The petition stands dismissed.

**(ARVIND SINGH SANGWAN)
JUDGE**

July 27, 2017
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>