

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

242

CRM-M-37167-2016

Date of Decision:28.11.2017

Sukhminder Singh @ Sukhwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

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

Mr. Bhupender Beniwal, A.A.G., Punjab,  
for respondent No.1.

Mr. Satbir Singh Rathore, Advocate,  
for respondent No.2.

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HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of criminal proceedings in a cross-case registered vide DDR No.24 dated 06.04.2008 under Sections 323, 324 IPC and the summoning order dated 20.11.2012, whereby the petitioner has been summoned to face trial under Sections 323, 324 IPC in cross-case of main FIR No.42 dated 06.04.2008 under Sections 452, 323, 324, 506, 34 IPC registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for respondent No.2 has pointed out that in para 8 of the petition, the petitioner has stated that he has not filed any such other or similar petition either before this Court or before Hon'ble the Apex Court, whereas it is pertinent to note that in CRM-M-15037 of 2016

(Sukhminder Singh @ Sukhwinder Singh Versus State of Punjab and another), the said petition was permitted to withdraw with liberty to take all the pleas taken in this petition before the trial court at an appropriate stage. He has stated that CRM-M-15037-2016 was dismissed as withdrawn vide order dated 06.09.2016. But instead of taking any plea before the trial court, as directed by this Court, the petitioner has again approached this Court through the instant petition. The present petition was filed on 06.10.2016 i.e. immediately one month after the order was passed in CRM-M-15037-2016.

I have heard learned counsel for the parties.

Though, in para 6 of the petition, there is a reference that the petitioner has earlier filed CRM-M-15037-2016 and it was dismissed as withdrawn with liberty to take all possible pleas before the trial court at an appropriate stage, but instead of taking any appropriate plea before the trial court, the petitioner has again approached this Court. Therefore, this Court finds that the very filing of the petition within a period of one month i.e. from the order dated 06.09.2016 passed by this Court, no interference is warranted and the present petition is liable to be dismissed.

Accordingly, the present petition is dismissed. However, taking into consideration the nature of dispute between the parties, the trial court shall make an endeavour to expedite the trial.

November 28, 2017  
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**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No