

CRM-M-34218 of 2010 (O&M)

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

CRM-M-34218 of 2010 (O&M)
Date of Decision: 14.11.2018

Hari Singh @ Heera Singh and another

....Petitioners

Versus

Sh. Jagdish

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Kunal Dawar, Advocate, for the petitioners.
Mr. Shashi Kumar Yadav, Advocate, for the respondent.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing Criminal Complaint No.697 dated 17.11.2007 under Sections 420, 467, 468, 471, 120-B and 506 IPC titled as “Jagdish v. Hari Singh and another” pending in the Court of learned Judicial Magistrate Ist Class, Gurgaon.

Learned counsel for the respondent has fairly conceded that SLP filed by the respondent has been dismissed, which means that judgment of the Civil Court dated 12.12.2007 in favour of the petitioners has attained finality. Consequently, impugned criminal complaint on the similar allegations and same dispute cannot be permitted to continue in view of judgment in *Mohinder Singh v. State of Punjab and another*, 2004(4) R.C.R.(Criminal) 428 (P&H) being gross abuse of the process of the Court.

Accordingly, instant petition is accepted. Impugned Criminal

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complaint No.697 dated 17.11.2007 filed by respondent before the learned Judicial Magistrate Ist Class, Gurgaon, along with all subsequent proceedings arising therefrom, is quashed.

November 14, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No