

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34524 of 2013 (O&M)

Date of Decision: 25.10.2018

Bhupinder Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Tejinder Pal Singh, Advocate
for respondents no. 2 to 8.

SURINDER GUPTA, J.

Complainant-Bhupinder Singh has filed this petition seeking clubbing of trial of the case bearing FIR No. 104 dated 05.08.2004, registered at Police Station Ahemdgarh for offences punishable under Sections 452/506/427/323/148/149 of Indian Penal Code (for short 'IPC') with complaint no. 28 dated 20.09.2007 titled as “Mohinder Singh vs. Bhupinder Singh” committed to the Court of Sessions and pending in Court of Additional Sessions Judge, Sangrur.

2. Learned counsel for the petitioner submits that both the cases being version and cross-version should be clubbed and tried together. Application dated 11.06.2013 (Annexure P-5) was also moved before learned Judicial Magistrate, Ist Class, Malerkotla for committing the trial of case bearing FIR No. 104 dated 05.08.2004 to Court of Sessions. However, order passed on that application has not been placed on file.

occurrence, it is required for fair trial that trial of the case in FIR No. 104 dated 05.08.2004 be also conducted with trial of complaint case.

4. The trial Court, as such, is directed to send the file of case bearing FIR No. 104 dated 05.08.2004 to Court of Sessions, where trial of the complaint titled as “Mohinder Singh vs. Bhupinder Singh” is pending.

5. Instant petition is disposed of in above terms.

October 25, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No