

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CrI. Misc. No. M-4993 of 2018

Date of Decision: February 07, 2018

Shyamvir and others

.....Petitioners

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Anoop Bajwa, Advocate
for the petitioners

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Sudhir Mittal, J. (Oral)

This petition has been filed for quashing of criminal Complaint No. 687 dated 26.11.2015 under Sections 323, 324, 392, 506, 34 IPC and summoning order dated 16.11.2017 (Annexure P-7) whereby the petitioners have been summoned to face trial under Section 323/34 IPC.

Learned counsel for the petitioners contends that the said complaint is the outcome of a matrimonial dispute and that infact no such incident took place. He further submits that some of the petitioners were at their place of work and, thus, could not have been involved in the incident.

The submissions of the learned counsel, are premature. All these pleas/ contentions can be raised during trial by way of defence evidence. There is nothing on record to suggest that no offence is made out on a bare perusal of the complaint or that the said complaint is an abuse of the process of law.

In view of the above, no ground for quashing the complaint, is made out. The petition is dismissed with liberty to the petitioners to raise all the pleas before the trial Court during their defence evidence.

February 07, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No