

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-38863-2015

Date of Decision: 09.01.2019

Jaswant Singh and others

.... Petitioners

Versus

Baldev Singh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Gursimran Singh, Advocate for the petitioners.

Mr. Vinay Pandey, Advocate for respondent No. 1.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing summoning order dated 21.10.2013 (Annexure P-3) passed by Judicial Magistrate Ist Class, Nakodar in Complaint case No. 122/1/11 dated 10.08.2011 (Annexure P-2), under Sections 307, 324, 326, 323, 427, 447 and 506 read with Section 34 IPC, whereby petitioners were summoned to face trial under Sections 324, 326, 323, 427, 447 and 506 read with Section 34 IPC.

At the outset, learned counsel for the petitioners submits that he does not want to challenge the impugned summoning order Annexure P-3 and his grievance would be redressed, if, a direction is issued that the aforesaid complaint (Annexure P-2) filed by respondent No. 1-Baldev Singh against the petitioners as well as FIR No. 59 dated 27.06.2010

under Sections 323, 341, 506 and 325 read with Section 34 IPC, lodged by petitioner No. 3-Piara Singh against respondent No. 1, his wife and two sons, are tried and decided by one and the same Court, by virtue of Section 210 Cr.P.C.

Learned counsel for respondent No. 1 as well as learned State counsel has no objection to the above submission of learned counsel for the petitioner.

In view of the above, the instant petition is disposed of, with a direction to the Chief Judicial Magistrate, Jalandhar, to transfer both the complaint case as well as the FIR case, aforesaid, in one Court for trial.

January 09, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No