

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36801-2019

Date of decision: February 17, 2020

Saurab Jain and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gautam Pathania, Advocate for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Vikrant Anand, Advocate for respondents No.2 to 7.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of direction that the case arising out of FIR No.107 dated 25.5.2013 under Sections 324/323/34 IPC, registered at Police Station Kapurthala City, District Kapurthala and the complaint filed by the petitioner as cross-version being arisen out of the same incident, dated 25.5.2013 be heard and tried together by the same Court.

Reply by way of affidavit of Deputy Superintendent of Police, Special Branch, Kapurthala filed today in the Court is taken on record.

Since the petitioners have not availed the remedy of filing an application under Section 408 Cr.P.C. in the Court of Sessions Judge, Kapurthala, this petition is not maintainable and, accordingly, the same stands dismissed with liberty to the petitioners to file an appropriate application in the Court of Sessions Judge, Kapurthala, if so advised.

**(ARVIND SINGH SANGWAN)
JUDGE**

February 17, 2020
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No