

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-16069-2022

Date of Decision: 20.4.2022

Rupinder Singh and another

....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ashok Bhardwaj, Advocate,
for the petitioners.

KARAMJIT SINGH, J.

Present petition has been filed by the petitioner seeking quashing of opinion dated 25.2.2022 (Annexure P-7) rendered by District Attorney (Legal), Patiala vide which the application moved by the petitioner for registration of criminal case against the private respondents has been ordered to be kept pending, awaiting decision of learned Court where another complaint regarding subject matter is pending for consideration. The petitioner has also sought directions to Sub Divisional Judicial Magistrate, Samana to stay proceedings in criminal complaint No.COMI/37/2020 dated 29.10.2020 (Annexure P-8) in compliance with the provisions of Section 210 Cr.P.C. and to call for a report in the matter from the police officer conducting the investigation.

I have heard the counsel for the petitioner.

It appears that the petitioner has filed one private criminal complaint against his wife and some other persons which is pending before

same is Annexure P-8. The petitioner has also lodged one complaint against his wife and other persons with regard to same subject matter to the police in which District Attorney (Legal) gave his opinion Annexure P-7.

In view of above, the present petition is hereby disposed of with direction to Sub Divisional Judicial Magistrate, Samana to take into consideration the aforesaid fact of pendency of one complaint with the police and if is of the view that the provisions of Section 210 Cr.P.C. are applicable in the case in hand, said Court should follow the said statutory provision of law.

April 20, 2022
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No