IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-50200-2021
Date of decision: 11.03.2022

Rachhpal Singh

...Petitioner

Versus

Mangal Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Nand Lal Sammi, Advocate,
for the petitioner.

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HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks quashing of complaint No.6 dated 07.02.2018 (Computer Registration No.COMI/06/2018), filed under Sections 307, 452, 326, 325, 324, 323 and 34 IPC (however, the petitioner summoned under Sections 323 and 324 IPC), pending in the Court of learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi, and all the subsequent proceedings arising therefrom, including the summoning order dated 08.02.2021 (Annexure P-2).

Learned counsel for the petitioner contends that on the application of the respondent-complainant, an inquiry was conducted by the Deputy Superintendent of Police (Local), Kapurthala, and it was found that the allegations levelled by the respondent were found to be false; that the said inquiry report was duly approved by the SSP, Kapurthala; that the petitioner and his wife has also filed a civil suit against the respondent and others, and that in the impugned complaint, all

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the aforesaid facts have not been mentioned by the respondent-complainant. It is further submitted that while passing the summoning order, the aforesaid facts have not been considered by the trial Court.

I have heard the learned counsel for the petitioner.

Keeping in view the fact that the summoning order dated 08.02.2021 is a speaking order, this Court does not find any illegality in the said order. However, all the issues raised by the petitioner, at this stage, can be brought to the notice of the trial Court, by moving an appropriate application, if he is so advised.

In view of the above, the present petition is disposed of with liberty to the petitioner to raise all the points before the trial Court for redressal of his grievance.

11.03.2022 **(HARNARESH SINGH GILL)**
parveen kumar **JUDGE**

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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