

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M No. 3682 of 2021
Date of Decision : 1.5.2023**

*Amritpal Singh Bains**..... Petitioner**versus**State of Punjab and another**..... Respondents***CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. S.S. Rangi, Advocate, for the petitioner

Mr. Harpreet Singh, Addl. AG, Punjab

Mr. Abnash Singh, Advocate, for respondent no.2

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed under section 482 Cr.P.C. for quashing of order dated 18.11.2020 (Annexure P-5) passed by the Judicial Magistrate Ist Class, SAS Nagar, whereby summons under Section 105B Cr.P.C. have been issued against the petitioner to secure his presence for completing investigation of the case FIR No. 23 dated 10.9.2020 under sections 420, 406, 498-A and 120-B IPC registered at Police Station NRI, District SAS Nagar.

2. Learned counsel for the petitioner contends that the FIR in question already stands quashed on the basis of compromise dated 5.1.2023 entered into between the petitioner and the complainant, vide order dated 3.3.2023 passed in CRM-M No. 2656 of 2023 titled *Santokh Singh Bains and others v. State of Punjab and another*. Therefore, the impugned order dated 18.11.2020 issuing summons against the petitioner/accused under Section 105B Cr.P.C. is unsustainable. Once the main case/FIR No. 23 dated 10.9.2020 lodged against the petitioner already stands quashed, proceedings under Section 105B Cr.P.C.

against the petitioner in the same case cannot continue.

3. Since the FIR in question, alongwith all consequential proceedings arising therefrom, has already been quashed against the petitioner vide order dated 3.3.2023, the impugned order dated 18.11.2020, issuing summons to the petitioner in the same case, will also stand quashed in terms thereof.
4. Ordered accordingly.
5. Disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

1.5.2023
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No