

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

**CRM-M No.38265 of 2018 (O&M)
Date of decision: 30.10.2023**

Gurinder Singh and others

... Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vedant Setia, Advocate for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab
for respondent No.1.

Mr. Suneetpal Singh Sethi, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of Complaint No.12 dated 16.07.2012 (P-1), titled as ‘**Shaminder Singh Versus Gurinder and others**’ along with all consequential proceedings arising therefrom on the basis of compromise dated 28.08.2018 (P-3) entered into between the parties i.e. petitioners as well as respondent No.2.

(2) Concededly, the aforesaid complaint has already been decided, culminating into the judgment of conviction and order of sentence dated

09.02.2018 (P-2) by the Court of learned Judicial Magistrate 1st Class,
Rajpura in the following terms:-

Gurinder Singh son of Omkar Singh

<i>Under Section(s)</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
452, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
325, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
427, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	-	-

Kultar Singh son of Omkar Singh

<i>Under Section(s)</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
452, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
325, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
427, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	-	-

Prabha son of Kulvir Singh

<i>Under Section(s)</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
452, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
325, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
427, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	-	-

Jota son of Kulvir Singh

<i>Under Section(s)</i>	<i>Sentence</i>	<i>Fine</i>	<i>In default of payment of fine</i>
452, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
325, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	₹ 1000/-	Simple imprisonment for <u>one month</u>
427, 34, IPC	Rigorous imprisonment for a period of <u>one year</u>	-	-

- (3) All the aforesaid sentences, imposed upon the petitioners, were ordered to run concurrently.
- (4) It is not in dispute that aforesaid judgment of conviction and order of sentence are already under challenge before learned Additional Sessions Judge, Patiala.
- (5) In view of the above, this Court is not inclined to entertain the present quashing petition under Section 482 Cr.P.C. at this stage.
- (6) Consequently, petition is dismissed.
- (7) However, it is made clear that this order be not treated as an expression of opinion on merits of the pending appeal, noticed hereinabove.
- (8) Pending application(s), if any, shall also stand disposed off.

October 30th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>