



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

**CRM-M-36823-2025
Date of decision: 15.07.2025**

JASWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr. Harjot Singh Bedi, Advocate for the petitioner.

H.S.GREWAL,J. (ORAL)

1. This is a petition filed under Section 528 of BNSS for setting aside the impugned order dated 07.05.2025 (Annexure P-5) passed by Id. Court of Addl. Session Judge, Fatehgarh Sahib vide which the revision petition has been dismissed and also for setting aside the impugned order dated 09.01.2025 passed by Id. Judicial Magistrate, Fatehgarh Sahib vide which the trial of the complaint No. 07/2024 under Sections 323,324, 506 read with Section 34 of IPC titled as “Charanjit Singh Vs. Charanjit Singh & Ors” has been committed to the Id. Court of Sessions.

2. Learned counsel for the petitioner submits that the petitioner has been summoned in the complaint under Section 323, 324, 506 read with Section 34 IPC vide order dated 09.01.2025. He further submits that a cross-case bearing FIR No. 164 dated 09.12.2021 under Sections 307,341,323,148,149 IPC was registered at Police Station Bassi Pathana, District Fatehgarh Sahib at the behest of Malaghar Singh against respondent No.2 and his allies. It is further submitted that the trial Court has illegally committed the said complaint for trial to the Court of Sessions without complying with the provision of law. However,



the said offences mentioned in the complaint were triable by Magistrate. Reliance has been placed in the judgment passed by Hon'ble Delhi High Court in case titled as ***Guranditta Mal & Others Vs. State and Another***; 2010(6) RCR (Cr.) 2844 and also in case of ***Ravindra Tiwari Vs. State of Chhattisgarh & Ors***; 2014 (10) RCR (Cr) 2002 passed by the Hon'ble Chhattisgarh High Court.

4. Notice of motion.

5. Mr. Kamalpreet Bawa, DAG, Punjab accepts notice on behalf of the respondent-State.

6. I have heard the submissions made by the parties and gone through the record.

7. In the case of ***Sudhir Vs. State of M.P. 2001(1) RCR (Criminal) 743***, it has been held by the Hon'ble Supreme Court of India that Sessions Judge can try any offence under IPC and when a case involving offences not exclusively triable by the Sessions Judge, in the circumstances when two criminal cases relate to the same offence. In the present case FIR No. 164 dated 09.12.2021 under Sections 341,323,148,149,307 IPC which is a cross-case regarding the same incident is already pending before the Sessions Judge, as such, this Court does not find any infirmity or illegality in the order passed by the Court below. Accordingly, the present petition stands dismissed.

15.07.2025

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(H.S.GREWAL)
JUDGE

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