

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

Date of decision:20.10.2015

Rajwant Kaur

.....Petitioner

v.

Gursewak Singh and another

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Nakul Sharma,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Prayer under Section 482 Cr.PC is for quashing the order dated 19.8.2015(P-1) passed by learned Additional Sessions Judge, Ferozepur whereby the revision filed by the accused-respondents was allowed and the order dated 4.3.2015(P-8) passed by learned Addl. Chief Judicial Magistrate,Ferozepur committing the criminal complaint No.54/3.5.3006 to the Court of Sessions was set aside.

Heard learned counsel for the petitioner.

Petitioner-complainant had filed the aforesaid complaint against accused respondents and they were summoned to face trial for the offences under Sections 326,324,323 IPC vide order dated 25.11.2006. At the end of pre-charge evidence the learned trial court vide impugned order P-8 observed that a prima facie case for the offence under Section 450 IPC apart from the aforesaid summoned

offences was made out. Accused petitioners challenged the said order by way of revision which, as noticed above, was allowed by the learned Additional Sessions Judge, vide impugned order P-8.

The learned Additional Sessions Judge, Ferozepur in his well reasoned order (P-1) has observed that to invite offence punishable under Section 450 IPC in order to commit offence punishable with imprisonment for life does not invite the offence punishable under Section 450 IPC and in the facts of the present case at the most offence under Section 452 IPC is made out.

At the time of hearing, learned counsel has not been able to point out any illegality or irregularity in the impugned order.

Dismissed.

20.10.2015.
joshi

(Jaswant Singh)
Judge