

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

CRR No. 3225 of 2011 (O&M)

Date of Decision: 17.11.2015

Manoj Kumari

..... Petitioner

Vs.

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Rajiv Doon, Addl. Advocate General, Haryana
for respondent No.1/State.

None for respondent Nos.2 to 4.

JASWANT SINGH, J. (Oral)

The complainant/wife is in revision aggrieved against the order dated 24.10.2011 (**Annexure P-2**), passed by the learned Additional Sessions Judge, Fast Track Court, Rohtak, whereby the revision of the respondents-Kavita, Sonia and Bharat Singh was accepted and the order dated 31.08.2009 (**Annexure P-1**), passed by the learned trial Court, summoning three abovesaid persons on an application by the prosecution under Section 319 Cr.P.C. as additional accused to face trial in case bearing FIR No.308 dated 17.11.2007, under Sections 406 and 498-A of the Indian Penal Code, registered with Police Station Meham was set aside.

Learned Counsel for the petitioner submits that in the light of specific allegations, two married sisters-in-law (Nanand) and Bharat Singh (father-in-law), the respondents were rightly summoned by the learned trial Court, however, the learned lower Revisional Court has illegally construed the material on record.

Learned State Counsel has supported the contentions on behalf of the petitioner.

None has caused appearance on behalf of respondent Nos.2 to 4.

After hearing learned Counsel for the petitioner and perusing the order dated 31.08.2009 (**P-1**) and impugned order dated 24.10.2011 (**P-2**), it is apparent that there are specific allegations sustainable at least against the father-in-law Bharat Singh, who was residing jointly with the husband and the complainant/wife. As regards two married sisters-in-law i.e. Kavita and Sonia, the order passed by the learned lower Appellate Court appears to be correct. In the light of the reasoning adopted by learned trial Court qua summoning of Bharat Singh, this petition is in full agreement with the same.

Accordingly, this revision is partly allowed and the impugned order dated 24.10.2011 (**P-2**) is partly set aside and the order passed by the learned trial Court 31.08.2009 qua Bharat Singh is restored while dismissing the same qua Kavita and Sonia. The trial has already substantially delayed and, therefore, the parties are directed to be present themselves before the learned trial Court, who shall conclude the entire trial within six months by giving limited opportunities to the parties.

In view of the above, the present petition stands partly allowed in the above terms.

November 17, 2015

Gagan

(JASWANT SINGH)
JUDGE