

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

**CRR No.1319 of 2012**

Date of decision: 6<sup>th</sup> July, 2015

Bimla Devi and another

... Petitioners

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Dr. Naresh Kaushik, Advocate  
for the petitioners.

Mr. C.S. Brar, Dy. Advocate General, Punjab  
for respondent No.1.

Ms. Amandeep Kaur, Advocate  
for respondent No.2.

**FATEH DEEP SINGH, J.**

It was in case got registered by way of FIR No.42 dated 26.06.2011 under Section 306 IPC pertaining to Police Station Mehtiana, District Hoshiarpur, the Court of learned Sessions Judge, Hoshiarpur through impugned orders dated 19.04.2012 summoned Narinder Kaur (actual name Narinderjit Kaur) and Bimla Devi as additional accused, which is subject matter of assailment before this Court in this revision petition in terms of Section 401 Cr.P.C.

Heard at length Dr. Naresh Kaushik, Advocate on behalf of the petitioners; Mr. C.S. Brar, Dy. Advocate General, Punjab for respondent No.1; Ms.Amandeep Kaur, Advocate representing the complainant/respondent No.2 and perused the records.

The provisions of Section 319 Cr.P.C. have been made purely with the purpose of enabling the Court holding an inquiry into the matter if found from the evidence culpability of any person who is not arrayed as an accused to summon him so. Though at times there has been disconcerting views but the Hon'ble Apex Court in the case of **'Hardeep Singh v. State of Punjab' 2014(3) SCC 92** had laid to rest and discussing the ambit of these provisions has held that any evidence that is brought before the Court during trial needs to be considered. Though it is vehemently argued on behalf of the revisionist by his counsel Dr. Naresh Kaushik, Advocate that there has been misuse of the process being married sister-in-law and mother-in-law of deceased Paramjit Kaur wife of the principal accused Mandeep Singh so as to rope in the entire family, has been controverted with much force and vehemence on behalf of the respondent/State terming it to be a legitimate exercise of powers.

Appreciating these submissions in the very own documents of the petitioners the very own complaint made by Amrik Singh father of the deceased, they have been very well named to be the abettors and instigators of the crime. There is specific averment by the father that his deceased daughter was married on 11.04.2001 with accused Mandeep Singh and a specific role has been attributed to

mother-in-law Bimla present petitioner for harassing his daughter and instigating their son Mandeep Singh to beat the girl and which was confided to by the deceased with her father. It is also there in these allegations, which are first in point of time immediately after the occurrence that took place on 25.06.2011 after deceased Paramjit Kaur consumed poisonous substance, that even the sister of the husband namely Narinder Kaur (actual name Narinderjit Kaur) was also harassing the deceased. But as has been pointed out during the course of investigations these two persons were placed in column No.2. So from this, it is crystal clear that the names of these persons have figured at the earliest point of time and thereafter complainant father as PW1 along with another witness PW2 Daljit Singh have testified it so, are matters which certainly substantiate the role of these two persons. Thus, it has come at the trial in evidence their specific roles. The learned lower Court in the impugned order has considered this aspect of the matter and has come to a totally justifiable conclusion.

Learned counsel for the petitioners could not point out any illegality much less any perversity in the impugned findings which could be a cause for this Court to show indulgence under Section 401 Cr.P.C. Thus, finding no merit in the instant revision petition the same stands dismissed.

**(FATEH DEEP SINGH)**  
**JUDGE**

**July 6, 2015**  
*rps*