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

CRR No.1586 of 2014

Date of decision: January 23, 2015

Kuldeep

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sant Lal Barwala, Advocate
for the petitioner.

Ms. Dimple Jain, AAG Haryana.

Mr. Kiran Kumar, Advocate
for respondents No.2 and 3.

SABINA, J

Petitioner has filed this petition challenging the order dated 13.02.2014.

FIR No.1007 dated 31.10.2009, under Sections 323, 324, 326, 506/34 of Indian Penal Code, 1860, was registered at Police Station Sadar Hisar. The case of the petitioner was that on 24.10.2009, he was present in his house. At about 12:30 PM, Ajay, his mother and his younger sister entered the house of the complainant. Ajay twisted the hand of the mother of the complainant. Mother of Ajay was carrying brick in her hand, whereas Ajay was carrying *gandasa*. When the complainant reached the spot, Ajay inflicted injuries on the person of the complainant. Thereafter, 3-4 boys armed with sticks came and gave beatings to the complainant.

After investigation of the case, challan was presented against accused Ajay and Pawan Kumar.

During the pendency of the trial, prosecution moved an application under Section 319 of Code of Criminal Procedure, 1973 for summoning respondents No.2 and 3 as additional accused. The said application was allowed by the trial Court vide order dated 13.10.2012. The said order was challenged by respondents No.2 and 3 by way of revision and the revision petition filed by the respondents No.2 and 3 was allowed vide impugned order dated 13.02.2014 and the matter was remanded to the trial Court for a fresh decision. Hence, the present petition.

Since the Court of revision had merely directed the trial court to reconsider the matter and pass a fresh order, no ground for interference by this Court is made out. Matter was remanded to the trial Court as the Court of revision had found that the statement made by the complainant before the Court was in contradiction to his statement made before the police.

Hence, no ground for interference by this Court, is made out.

Dismissed.

January 23, 2015
m.singh

(SABINA)
JUDGE