

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

C.R.R. No.2628 of 2015

Date of Decision : 10.08.2015

Renu Bala

..... Petitioner

Versus

Pankaj Khurana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Atul Bhatia, Advocate
for the petitioner.

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

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the order dated 22.04.2015 declining an application under Section 319 Cr.P.C.

Brief facts of the case are that the daughter of the complainant-petitioner was married to the elder brother of the respondent No.4. Admittedly, it was a love marriage. The daughter of the petitioner committed suicide. The petitioner lodged an FIR against the son-in-law and his parents and college going younger brother-respondent No.4. The police challaned the deceased's husband and his parents but left the respondent No.4 out. It is in these circumstances that the instant application was filed

by the petitioner for summoning the respondent No.4 (younger college going brother of the deceased's husband). The trial Court relied on the fact that in the suicide note the daughter of the petitioner had made allegations against her husband and her parents-in-law but had not made any allegations against the respondent No.4 and also to the fact that there was some improvement in the statement of the petitioner.

Learned counsel for the petitioner has vehemently argued that the name of respondent No.4 was specifically mentioned in the FIR. He has further argued that the trial Court is not entirely correct when it accused the petitioner of making improvements in her statement. It is also argued that the trial Court has not followed the parameters laid by the Hon'ble Supreme Court in the case of *Hardeep Singh etc. vs. State of Punjab and Others, 2014(1) RCR (Criminal) 623*.

To my mind the real determinant in this case would be suicide note. Even though the same has not been placed on record, the learned counsel has shown to me a photocopy of the same which I have perused and, it is clear therefrom that though the daughter of the petitioner-complainant mentioned her husband and her parents-in-law but she did not mention anything about the respondent No.4. It can not also be lost sight of that when such a tragedy occurs the affected family feels that all the in-laws are responsible in some manner for the death of their child but this feeling by itself is not enough to justify summoning of all the members of the family. There have been cases where long separated brothers and their families have also been sought to be implicated and cases where much elder

married sisters living far away are sought to be implicated.

No other argument has been raised by the learned counsel for the petitioner.

In the circumstances, it cannot be said that the conclusion drawn by the trial court is so palpably perverse or erroneous so as to justify interference in the revisional jurisdiction of this Court.

Consequently, the revision petition is dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

AUGUST 10, 2015

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**(AJAY TEWARI)
JUDGE**