

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

CRR No. 369 of 2015
Date of decision 04.02.2015.

Rekha Nair

..... Petitioner.

versus

State of Haryana and another

..... Respondent.

CORAM :- HON'BLE MR.JUSTICE K.C.PURI.

1. Whether Reporters of Local Newspapers 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?

Present : Mr. Yashpal Gupta, Advocate for petitioner.

K.C.PURI, J.

Challenge in this revision is the order dated 05.01.2015 passed by Ms. Alka Malik, Additional Sessions Judge, Gurgaon, vide which the application moved by the prosecution to summon parents of Pankaj Kumar namely Suresh Chander and Smt. Arun Bala was dismissed.

2. The prosecution moved an application before the trial Court on the allegation that complainant while appearing as PW-4 has specifically made allegation against the parents for taunting on account of dowry. It has been stated by the complainant that dowry articles have been taken by the

additional accused namely Suresh Chander and Smt. Arun Bala. So, the trial Court should have relied upon the testimony of the prosecutrix and should have summoned Suresh Chander and Smt. Arun Bala as additional accused.

3. I have considered the submission made by the counsel for the petitioner but do not find any force in that submission.

4. The learned trial Court has observed that by mere naming the accused by the prosecutrix is not sufficient to summon them under Section 319 of the Cr. P. C. to stand trial along with main accused Pankaj Kumar. Counsel for the petitioner is fair enough to concede that factum of taking of dowry articles by parents of Pankaj Kumar has not been mentioned in the FIR. So, the improvement made by the petitioner regarding taking away the dowry articles by additional accused namely Suresh Chander and Smt. Arun Bala has to be ignored. The learned trial Court has rightly observed that so far as the other allegations are concerned those are general in nature and no case under section 319 of the Cr.P.C. is made out for summoning the parents of Pankaj Kumar accused as an additional accused. That finding is based on record and as such does not call for any interference.

5. Consequently, the present petition is without any merit and the same stands dismissed in limine.

6. A copy of this order be conveyed to the trial Court for strict compliance.

February 04, 2015

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**(K. C. PURI)
JUDGE**