

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

**CRM No.5020 of 2015 in/and  
CRR No.3734 of 2014 (O&M)  
Date of Decision: February 16, 2015**

Satish

...Petitioner

VERSUS

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Sandeep Ghangas, Advocate  
for the petitioner.

Mr.Deepak Grewal, Deputy Advocate General, Haryana  
for the respondent-State.

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**INDERJIT SINGH, J.**

**CRM No.5020 of 2015**

The application is allowed subject to all just exceptions.

Annexure P-5 is taken on record.

**CRR No.3734 of 2014**

Petitioner has filed this revision petition under Section 401 Cr.P.C. against State of Haryana challenging the order dated 21.10.2014 passed by learned Sessions Judge, Panipat, vide which the petitioner has been summoned under Section 319 Cr.P.C. to face trial under Section 302 read with Section 34 IPC.

It is mainly stated in the petition that impugned order dated 21.10.2014 has been passed without application of mind and is illegal and cannot be sustained in the eyes of law.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that petitioner Satish has been specifically named in the FIR. As per the prosecution version, on 23.01.2013 at about 8.00-8.30 P.M., his brother Neetu went to the shop for purchasing some household items. When he reached near Rattan Singh's house, then one Rinku and Satish started abusing his brother. Rinku was armed with iron rod, who hit Neetu on his head with the iron rod. Meanwhile, Rawal and Bhandar also reached the spot and started giving kicks and fist blows to Neetu. Due to injury, complainant's brother Neetu fell on the ground unconscious. Then, complainant party took Neetu to General Hospital, Panipat and then to PGIMS Rohtak, where doctors admitted him and later on he died.

The petitioner is named in the FIR and it has been stated that on seeing Neetu, he along with main accused Rinku started abusing Neetu and then Rinku gave fatal injury with iron rod on the head of the deceased Neetu. PW-1 complainant Sawan Singh has been examined, who again reiterated the same allegations.

In view of the facts and circumstances of the present case and from the evidence, it appears that present petitioner is involved in the commission of offence and he should face trial along with accused already facing the trial.

In view of the above discussion, I find that the order dated

21.10.2014 passed by learned Sessions Judge, Panipat is correct, as per law. No illegality has been committed by the learned trial Court.

Therefore, finding no merit in the present petition, the same is dismissed.

**February 16, 2015**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**