

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRR 4221 of 2015

Date of Decision: November 3, 2015

Jyoti Sarup

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. Aman Dhir, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Petitioner has filed a private complaint against respondents No.2 and 3 and also against one Ms.Pinki on December 24, 2010 in which charges were framed on April 23, 2013. During the pendency of the criminal proceedings, petitioner moved an application in the year 2015. Vide impugned order, application filed by the petitioner for adding offences under Section 411, 148, 149 IPC, has been dismissed.

Learned counsel for the petitioner has vehemently urged that in the complaint, the petitioner has specifically pleaded that the accused named in the complaint alongwith 4/5 musclemen whom he can identify later on

had assaulted him but the trial Court has refused to add Sections 148, 149 IPC vide impugned order.

On asking of the Court, counsel for the petitioner submits that till date he does not know as to who those 4/5 musclemen were. In view of the uncertainty in the complaint as well as the existence of that uncertainty till date, I am of the considered opinion that the order dismissing the application under Section 216 Cr.P.C. does not warrant any interference. It has rightly been dismissed. The charges cannot be amended on the basis of the vague and uncertain allegations.

Dismissed.

November 3, 2015
sanjay

(M.M.S.BEDI)
JUDGE