

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRR-4302 of 2015

Date of Decision: December 08, 2015

Parmod

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Parvesh Sachdeva, Advocate
for Ms.Garima Sharma, Advocate
for the petitioner.

Mr.Arun Luthra, AAG, Haryana.

Rajan Gupta, J (Oral)

Present petition is directed against the order passed by Additional Sessions Judge, Bhiwani, whereby application moved by the complainant under Section 319 Cr.P.C for summoning the petitioner as additional accused has been allowed.

FIR was registered on 4.12.2011. Complainant alleged that an elephant was brought to the village whereby persons of a particular caste performed the religious ceremony. However, accused accosted the complainant and manhandled owner of the elephant and also hurled abuses at them. Some injuries were also inflicted on them. During trial complainant appeared as PW-1 and admitted the role of Parmod @ Duli son of Virender @ Bijender Lamberdar. On the basis of said statement, trial court came to the conclusion that there was specific allegation against the petitioner which could even lead to his conviction. It thus allowed the application and summoned the petitioner to face trial as additional

accused. Only plea of the petitioner that order has been passed after 3 years of the incident. I find no merit in this plea. It is evident that the trial is still at its initial stage. No legal infirmity in the impugned order is pointed out. The identity of the petitioner has been established by complainant-Ram Kishan. No ground to interfere in the revisional jurisdiction. Dismissed.

(Rajan Gupta)
Judge

December 08, 2015
BB