

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRR-599 of 2014 (O&M)
Date of decision: 7.4.2015

Devi Ram @ Devi Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sarfraj Hussain, Advocate for the petitioner.

Mr. Vikas Malik, Dy. Advocate General, Haryana.

Mr. Ashit Malik, Advocate for the complainant.

Rajan Gupta, J. (oral)

Present revision petition is directed against the order dated 26.11.2013, passed by Additional Sessions Judge, Palwal, whereby petitioner has been summoned to face trial in exercise of powers under section 319 Cr.P.C.

I have heard learned counsel for the parties and carefully gone through the records.

It is evident that name of Devi Singh figured in the FIR and also in statements of witnesses recorded under section 161 Cr.P.C. Yet the investigating agency did not file challan qua Devi Singh. At the time of trial, two witnesses namely, Naresh Kumar and Dinesh Kumar appeared before the court and attributed specific injuries to Devi Singh. On the basis of this evidence, trial court felt that Devi Singh needed to be summoned as an additional accused in exercise of powers under section 319 Cr.P.C.

I find no infirmity with the order. Even otherwise, trial has made much headway as nine prosecution witnesses have already been examined. There is no ground to interfere in revisional jurisdiction.

Dismissed.

(RAJAN GUPTA)
JUDGE

7.4.2015
'Rajpal'