

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

CRR No.876 of 2015

Date of decision: 12.03.2015

Mahender Singh

-----**Petitioner (s)**

V/s

State of Haryana & others

-----**Respondent(s)**

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Vijay Sangwan, Advocate
for the petitioner(s).

HARI PAL VERMA, J.

The petitioner has filed the present revision petition challenging the order dated 11.12.2014 passed by Sessions Judge, Narnaul, whereby the application filed by the complainant-petitioner under Section 319 CrPC has been dismissed.

Learned counsel for the petitioner submits that the accused namely Krishna, Sumitra and Sonu were specifically named in the FIR and injuries were attributed to them and therefore, they were required to be summoned by the trial Court. Learned counsel further submits that in order to invoke Section 319 CrPC, the trial Court was only

required to look into the *prima facie* case of the complainant but the trial Court has failed to appreciate the evidence on record, especially the fact that the complainant Mahender Singh has specifically named the aforesaid accused while appearing as PW-1.

I have heard learned counsel for the petitioner and find that the trial Court vide order dated 11.12.2014, has held that there is no attribution on the part of Krishna and Sumitra and the complainant Mahender Singh has merely mentioned in his statement to the police that Krishna and Sumitra along with Bhag Singh were standing near the house of Raj Kumar Mistri of their village and they were having *dandas* in their hands. However, no injury with *danda* has been attributed to Krishna and Sumitra. Three injuries are stated to have been caused in the head of the petitioner by Narender with iron rod and as per MLR of the petitioner, there is only one injury on his head and that is at two places i.e. over mid parietal region and over parietal region. Therefore, when Narender had caused injury with iron rod and Monu with iron kulhari, then there must have been corresponding injury with Bankhri, alleged to have been caused by Sonu, but there is no such injury.

The scope of interference by this Court in exercise of its revision jurisdiction is very limited and the findings recorded by the trial Court cannot interfered with

until and unless the same are illegal and perverse. Considering the fact that there is no material irregularity in the impugned order, no interference is warranted into the same. Accordingly, I find no merit in the present revision petition.

Dismissed.

March 12, 2015
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(HARI PAL VERMA)
JUDGE