

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-1675 of 2015

.....

Date of decision:4.2.2016

Sohan Singh

.....Petitioner

v.

State of Haryana

.....Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

.....

Present: Mr. Anshuman Dalal, Advocate for the petitioner.

Mr. D.R. Singla, Deputy Advocate General, Haryana for the  
respondent-State.

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**Inderjit Singh, J.**

This petition has been filed under Section 482 Cr.P.C. for quashing of impugned order dated 27.8.2014 (Annexure-P.3) passed by learned Additional Chief Judicial Magistrate, Jind, whereby the petitioner has been summoned to face trial in case FIR No.251 dated 3.9.2013 (Annexure-P.1) registered for the offences under Sections 420, 506, 467, 468, 471 and 120-B IPC at Police Station Sadar, Jind and the impugned order dated 19.12.2014 (Annexure-P.4) passed by learned Additional Sessions Judge, Jind, whereby criminal revision filed by the petitioner against aforesaid order has been dismissed.

Notice of motion was issued in this case.

Mr. D.R. Singla, learned Deputy Advocate General, Haryana

has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

From the record, I find that an application under Section 319 Cr.P.C. was filed by the prosecution for summoning of Sohan Singh as additional accused. It was also stated in the application that Sohan Singh had played active role in the commission of the above said offences besides, the co-accused facing trial and he had threatened the complainant for facing the dire consequences. It was also alleged in the application that sufficient evidence is available against Sohan Singh, therefore, he be summoned and tried as co-accused.

The Court below after going through the record and after hearing learned Additional Public Prosecutor as well as the defence counsel accepted the application by holding that specific allegations have been levelled against Sohan Singh by the complainant in the complaint on the basis of which FIR was registered and Sohan Singh was instrumental in committing of the offences. He has also threatened the complainant for facing the dire consequences. The complainant has appeared in the witness box as PW-1 and has also deposed regarding the allegations against Sohan Singh.

I have also gone through the order passed by the learned Additional Chief Judicial Magistrate and have also gone through the FIR. I

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find that at this stage, it appears to the Court that the present petitioner Sohan Singh is involved in the commission of the offences and he should be summoned for facing trial along with the accused who are already facing trial.

The present petitioner filed revision petition before the learned Sessions Judge. The learned Additional Sessions Judge, Jind, by discussing the evidence etc. on record has also dismissed the same. A perusal of the orders passed by the Courts below shows that, in no way, these can be held as illegal or perverse nor the orders passed by the Courts below can be held as amounting to miscarriage of justice. No ground is made out for interference in the orders passed by the Courts below. These are as per evidence and law and do not require interference from this Court.

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

However, nothing stated here-in-above shall be construed as an opinion on the merits of the case and the learned trial Court shall consider the case on the basis of evidence and material as produced before it.

February 4, 2016.

**(Inderjit Singh)**  
**Judge**

\*hsp\*