

In the High Court of Punjab and Haryana at Chandigarh

CrI. Misc. No. M-27237 of 2016 (O&M)
Date of Decision: 25.10.2016

Raj Singla @ Raj Rani

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioner.**

ANITA CHAUDHRY, J(ORAL)

CRM-33344-2016

Application is allowed and Annexures P-5 and P-6 (Colly) are taken on record.

CRM-M-27237-2016

This is a petition under Section 482 Cr.P.C. for quashing the order dated 12.5.2016 passed by the Additional Sessions Judge whereby the revision filed by the petitioner challenging the order dated 28.10.2015 has been dismissed. The petitioner had been summoned by the Magistrate on an application filed under Section 319 Cr.P.C. in FIR No. 103 dated 20.5.2014 registered at Police Station City Rupnagar, District Rupnagar.

The petitioner was asked to place on record the statement made by the complainant which has been placed on record.

A complaint had been given by Ekta Gupta on which FIR No. 103 dated 20.5.2014 was registered at Police Station City Rupnagar.

allegations were that the complainant's husband Munish Kumar was having extra marital affair with his real sister-in-law and the mediator knew this fact. The allegations were also levelled against the petitioner that some dowry had been given to her. The complainant had narrated an incident of 7.8.2013 and the complainant had spoken about the presence of the petitioner and that the petitioner had also beaten her on that day. The police has filed a final report and did not challan the petitioner. After the statement of the complainant had been recorded, an application under Section 319 Cr.P.C. was filed which was allowed and the petitioner was summoned as an additional accused. Aggrieved by the order, a revision was preferred which has been dismissed.

I have heard the counsel for the petitioner at great length and I find no infirmity in the order passed by the Courts below. Both the Courts below have noted that there were reasons for issuing the process as there were specific allegations levelled against the petitioner. The complainant had alleged that the petitioner was recipient of the dowry articles. At the stage of summoning of the additional accused, the evidence has not to be evaluated on merits. Considering the principles laid down in '***Hardeep Singh versus State of Punjab and others, 2014(1) R.C.R. (Criminal) 623***', I find no merit in the petition.

Petition is dismissed in limine.

(ANITA CHAUDHRY)
JUDGE

October 25, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No