

CRM-M No. 30658 of 2016

**IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH**

**CRM-M No. 30658 of 2016
Date of decision : September 1, 2016**

Dalip and another

..... Petitioners

Versus

Hans Ram

..... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

**Present:- Mr. Ajay Vijrania, Advocate
for the petitioners.**

AJAY TEWARI, J (oral).

This petition has been filed under Section 482 Cr.P.C
challenging the summoning order dated 2.5.2016 (Annexure P-1).

The complainant-respondent had filed a complaint
alleging that the petitioner had first thrown garbage outside the house
and when stopped to do so then had abused him and caused injuries and
threatened to kill him.

The trial court having passed the summoning order the
petitioner filed revision against the same which has also been dismissed.

Learned counsel for the petitioner has argued that the
order passed by the Magistrate does not discuss the gravamen of the
accusation against the petitioner or the material. However, para Nos. 7

and 8 of the revisional order are to the following effect:-

“On other side, learned counsel for the respondent has argued that the revision petition is totally devoid of merits because there was enough and sufficient material before learned trial court to find prima facie case for commission of offences of the complaint. The order under challenge is legal and justifiable as well sustainable in the eyes of law.

The complainant in is his pre-summoning evidence has examined Santosh as CW-1, himself as CW-2 and Suraj Bhan as CW-3. The medico-legal reports Ex.C-1 and C-4 along with DDR Ex. C-3 and complaint to Superintendent of Police, Narnaul Ex.C-2 have also been proved. The injured and eye witness have reiterated that the accused have beaten the complainant party and also threatened to kill them. Specific attribution qua the revisionists have been detailed by the witnesses in witness box.”

In view of the above, there is no ground to interfere.

The Criminal Miscellaneous Petition stands dismissed.

(AJAY TEWARI)
JUDGE

September 1 , 2016
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No