

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 38615 of 2012 (O&M)

Date of decision: 11.05.2016

Ram Juneja and another

.....Petitioners

versus

State of Haryana and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Rajesh Lamba, Advocate for the petitioner
Mr.Parveen Aggarwal, DAG Haryana
Mr.Arvind Seth, Advocate for the respondent No.2

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The petitioner has impugned the order dated 22.9.2012, passed by learned Sessions Judge, Faridabad, affirming the order dated 30.4.2012, passed by learned Judicial Magistrate 1st Class, Faridabad, vide which, the present petitioners, namely, Ram Juneja and Pappu @ Rakesh Nagpal were summoned on an application filed under Section 319 Cr.P.C. to stand trial as additional accused for commission of offences punishable under Sections 147, 148, 332, 353, 186, 506 IPC in FIR No.285 dated 2.11.2007 registered at Police Station Mujessar District Faridabad.

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

It comes out that these two persons were not challaned by the police. The lower Court after going through the record and the statement made by PW1 Ramnik Passi, came to the conclusion that these two persons have been named by the complainant as the persons who also obstructed him from performing his official duties. Therefore, the lower Court is of the view that they should be summoned to face trial.

I am of the view that in case of an assault on the public servant, the statement of complainant, in a particular case, may be sufficient to arrive at a particular conclusion. The order of the Magistrate was contested in revision before the Sessions Court.

After going through both the impugned orders, I do not find any illegality or infirmity in the same. Accordingly, the said orders are upheld. Consequently, the present petition is dismissed.

11.05.2016
gk

(Kuldip Singh)
Judge