

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

(116)

**CRM-M-39884-2016 (O&M)
Decided on: December 09, 2016.**

Pargat Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Navjot Singh, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Palwinder Singh is facing trial for having caused death of Harjot Singh who was going on a motorcycle. The petitioner has been summoned as an additional accused on the allegations that he was driving another bus and chasing the bus of Palwinder Singh. The petitioner was originally named to be responsible to some extent for the accident.

Perusal of the order passed by the trial Court summoning the petitioner as an additional accused under Section 319 Cr.P.C would indicate that the petitioner has been summoned as an accused following the parameters laid down in **Hardeep Singh Vs. State of Punjab 2014 (1) RCR (Criminal) 623.** It will not be appropriate for this Court to give finding regarding the prima facie culpability of the petitioner but the order passed by the trial Court appears to be an appropriate order. However, it is observed that it will always be open to the petitioner to rebut the evidence which is being produced regarding the involvement of the petitioner, by leading defence evidence or by impeaching the credibility of the prosecution witnesses.

There is no scope for interference in the order passed.

All the pleas taken up before this Court may be raised at appropriate stage to seek any benefit.

This petition is disposed of with above observations.

(M.M.S. BEDI)
JUDGE

December 09, 2016
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No