

CRR-3450-2016 (O & M)

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

CRR-3450-2016 (O & M)

Date of Decision: 22.09.2016

Surjit Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amandeep Singh Manaise, Advocate,
for the petitioner.

INDERJIT SINGH, J.

CRM-29792-2016

This is an application for condonation of delay of 229 days in
filing the revision.

Heard.

For the reasons, mentioned in the application, the same is
allowed and delay of 229 days in filing the revision is condoned.

CRR-3450-2016

Petitioner, Surjit Kaur has filed this revision petition against
respondents, State of Punjab and Pritam Singh Gill under Section 401
Cr.P.C. challenging the order dated 20.10.2015 passed by learned
Additional Sessions Judge, Gurdaspur whereby order dated 03.05.2012
passed by learned Additional Chief Judicial Magistrate, Gurdaspur was set
aside and application under Section 319 Cr.P.C., filed by the petitioner for
summoning of respondent No.2 as an additional accused, was dismissed.

I have heard learned counsel for the petitioner and perused the

CRR-3450-2016 (O & M)

record.

From the record, I find that in the present case, application under Section 319 Cr.P.C. was filed before trial Court for summoning of respondent No.2 as additional accused in case FIR No.44 dated 25.02.2006, registered at Police Station Sadar Gurdaspur, under Sections 304-A, 337 and 34 IPC. Vide order dated 03.05.2012, learned Additional Chief Judicial Magistrate, Gurdaspur allowed the application under Section 319 Cr.P.C. and summoned respondent No.2 as additional accused to face trial under Sections 337 and 304-A IPC.

Feeling aggrieved by the order dated 03.05.2012, respondent No.2 preferred revision before learned Additional Sessions Judge, Gurdaspur which was allowed and order dated 03.05.2012, summoning respondent No.2 as additional accused, was set aside vide impugned order dated 20.10.2015.

Feeling aggrieved by the order dated 20.10.2015 passed by learned Additional Sessions Judge, Gurdaspur, instant revision petition has been filed.

At the time of arguments, learned counsel for the petitioner brought into my notice that main challan case has already been decided by the trial Court and both the accused have already been acquitted. If the trial Court has already acquitted the main accused against whom challan was presented, then this revision petition has become infructuous.

Dismissed as infructuous.

22.09.2016

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No