

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

CRR No.4806 of 2015.
Decided on:-11.01.2016.

Kailash Chand.

.....Petitioner.

Versus

State of Haryana and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Abhishek Goyal, Advocate
for the petitioner.

HARI PAL VERMA, J.

The petitioner has filed the present revision petition against order dated 19.9.2015 passed by learned Additional Sessions Judge, Faridabad whereby application filed by him under Section 319 Cr.P.C. was dismissed.

In the application, the petitioner has prayed that respondent No.2 Raj Kumari wife of Raj Kumar also participated in the commission of offence and, therefore, she needs to be summoned and tried accordingly.

I have heard learned counsel for the petitioner.

As per the MLR issued by the Fortis Hospital, Faridabad, the doctor examined injured Sanjeev and made the following report:

1. Lacerated wound 3 cm x 1 cm x 1 cm on vertex of skull.
2. Pain tenderness left wrist.”

Since the police did not challan respondent No.2 Raj Kumari, her name was kept in Column No.2. However, the petitioner-complainant while appearing as PW1 has alleged the involvement of respondent No.2 and, therefore, has moved an application under Section 319 Cr.P.C. The allegation against respondent No.2 was that she participated in the occurrence and was armed with a knife. She inflicted injury upon injured Sanjeev, who was medico-legally examined. The injured found to have sustained two injuries and both the injuries are caused by blunt weapon. The injured has not sustained any injury with sharp edged weapon like knife. This, it is duly established that the alleged injury given to injured Sanjeev is with a sharp weapon, but as per the MLR, no such injury has been sustained by him, which may have been caused with a sharp edged weapon.

Once it is established that there is no sharp edged weapon injury, summoning of respondent No.2 Raj Kumari under Section 319 Cr.P.C. is not warranted. Learned Additional Sessions Judge, Faridabad has considered this aspect and rightly dismissed the application under Section 319 Cr.P.C.

In view of the above, this Court does not find any illegality or

irregularity in the order passed by learned Additional Sessions Judge which may warrant summoning of respondent No.2 Raj Kumari as an additional accused. As such, the instant petition, being devoid of any merit, is dismissed.

January 11, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE