

CRR-4144-2016

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

**CRR-4144-2016 (O & M)
Date of Decision: 09.11.2016**

Raghubir Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Birinder Singh Khehar, Advocate,
for the petitioner.

INDERJIT SINGH, J.

The present revision petition has been filed by petitioner, Raghubir Kaur against State of Punjab under Section 401 Cr.P.C. challenging the impugned order dated 06.09.2016 passed by learned Sessions Judge, Gurdaspur vide which application under Section 319 Cr.P.C. for summoning of the petitioner as additional accused to face trial under Sections 302 and 34 IPC, has been allowed.

I have heard learned counsel for the petitioner and perused the record.

From the record, I find that challan has been presented under Section 302 IPC by the police of Police Station Fatehgarh Churian, in FIR No.67 dated 05.11.2015. During trial, an application under Section 319 Cr.P.C. was filed by the prosecution for summoning of the present

CRR-4144-2016

petitioner. It is stated in the application that the present petitioner has equally contributed towards the commission of offence and she has fully assisted and shared common intention in killing deceased, Neetu. As per the record, challan was presented only against Bikramjit Singh, however, the present petitioner was kept in column No.2. As per the case of prosecution, Neetu, daughter-in-law of the present petitioner has been killed by way of strangulation. It is stated in the FIR and also in the statement of complainant-Paramjit Kaur, mother of deceased that she received a telephone call from her daughter, Neetu, who stated that Bikramjit Singh, her husband and Raghubir Kaur, mother-in-law, were giving beatings to her. When the complainant along with relatives reached the house of Bikramjit Singh, they found the dead body of Neetu. PW 1 Paramjit Kaur has deposed accordingly.

Learned Sessions Judge, Gurdaspur, vide impugned order dated 06.09.2016, after discussing the evidence and law has summoned the present petitioner, Raghubir Kaur, to face the trial alongwith accused-Bikramjit Singh. Perusal of the record, especially the impugned order shows that no illegality has been committed by learned Sessions Judge, Gurdaspur by accepting the application under Section 319 Cr.P.C. From the record, especially the statement of PW 1 Paramjit Kaur, it appears to the Court that the present petitioner was also involved in the commission of the offence and she should be tried alongwith Bikramjit Singh already challaned accused.

From the evidence on record, I find that the impugned order

CRR-4144-2016

dated 06.09.2016 passed by learned trial Court is correct, as per evidence and law. In no way, the same can be held as perverse. No illegality has been committed by learned trial Court while accepting the application under Section 319 Cr.P.C. Therefore, the impugned order dated 06.09.2016 does not warrant interference.

Finding no merit in the present revision petition, the same is dismissed.

09.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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