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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 3401/2016**

PARAMJEET SINGH @ BITTU & ORS. Petitioners
Represented by: Mr. Yogesh Rathi, Advocate.

versus

STATE Respondent
Represented by: Mr. Ravi Nayak, APP for the
State with SI Ashish Tyagi, PS
Nihal Vihar.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **16.09.2016**

Crl. M.A. No. 14402/2016 (Exemption)

Allowed, subject to all just exceptions.

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1. The petitioners have been summoned pursuant to the charge sheet filed in case FIR No. 289/2013 under Sections 308/34 IPC registered at PS Nihal Vihar, Delhi.
2. Besides the petitioners there was one more accused Gurpreet @ Lucky @ Harpreet who has since passed away. Further one Balwinder Kaur, who was kept in Column No.12 has also been summoned by the impugned order.
3. Learned counsel for the petitioners states that since Balwinder Kaur has been summoned despite being kept in Column No.12 in the charge sheet

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the impugned order summoning the petitioners is also bad in law.

4. The petitioners are named in the FIR. They have been kept in Column No.11 and there being prima facie sufficient material against them they were rightly summoned by the learned Trial Court.

5. Balwinder Kaur whose name was mentioned in Column No.12 and has been summoned has not challenged the summoning order. The petitioners cannot claim parity with Balwinder Kaur or seek setting aside of the order of summoning merely on the ground that Balwinder Kaur who was kept in Column No.12 has been summoned.

6. Petition is dismissed.

MUKTA GUPTA, J.

SEPTEMBER 16, 2016

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