

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

CRM No.M-15223 of 2017 (O&M)

Date of Decision: May 04, 2017

Pargat Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms.Rajni Maurya, Advocate for
Mr.Vinod K. Kaushal, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 09.07.2015 passed by learned Judicial Magistrate Ist Class, Amritsar, whereby the petitioner has been summoned under Section 319 Cr.P.C. in criminal case titled 'State vs. Surjit Singh and others' in case FIR No.116 dated 15.09.2012 under Sections 452, 447, 511, 506, 148, 149 and 120-B IPC registered at Police Station Gate Hakima, District Amritsar City and judgment dated 07.10.2016 passed by learned Addl. Sessions Judge, Amritsar, vide which the revision filed by the petitioner was dismissed.

From the record, I find that the petitioner is named in the FIR that he along with other co-accused tried to take illegal possession.

Furthermore, during enquiry conducted by the police, as itself clear from the

FIR, the present petitioner was found to be involved. The statement of the complainant has been recorded in the Court as PW-3 and again the complainant deposed as per prosecution version and named the present petitioner Pargat Singh, who was along with other co-accused.

At the stage of summoning of additional accused under Section 319 Cr.P.C., it should appear to the Court that the person to whom the prosecution wants to summon as additional accused, is also involved in the commission of the offence. Both the Courts below have discussed the evidence and have come to the same conclusion. Nothing has been pointed out as to how the order and judgment passed by the Courts below, amount to miscarriage of justice or not as per law.

In view of the above discussion, I find that the impugned order and judgment passed by both the Courts below, are correct, as per law and do not require any interference from this Court.

Therefore, finding no merit in the present petition, the same is dismissed.

May 04, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No