

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

CRM-M No.26568 of 2017 (O&M)

Date of decision : August 28, 2017

Mohar Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurmeet Singh Saini, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner is aggrieved of the fact that in case FIR No.112, dated 25.09.2016, under Sections 302 read with Section 34 IPC, got registered by him at Police Station Makhu, District Ferozepur, only two persons have been challaned and two have been declared innocent. The challan in this case has been presented in the Court and now the case is fixed for arguments on charges.

If the police has come to a particular conclusion that two persons out of the four persons whose names were given by the petitioner in the FIR, are innocent and if the petitioner feels that there is some evidence against those persons, he can press his prayer at the time of arguments on charges and press for summoning of those persons. He can also avail the remedy under Section 319 Cr.P.C.

However, this Court while exercising the powers under Section 482 Cr.P.C. cannot order the summoning of those two persons, who were declared innocent by the Investigating Agency.

As such, the present petition is disposed of with abovenoted observations.

(KULDIP SINGH)
JUDGE

August 28, 2017

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Whether speaking / reasoned Yes

Whether Reportable: No