

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

**Crl. Revn. No. 3565 of 2016
Date of decision :- 20.03.2017**

Seema

....Petitioner

versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pankaj Mehta, Advocate
for the petitioner

RITU BAHRI, J. (Oral)

The present petition is against order dated 05.08.2016 whereby application filed by the petitioner under Section 319 Cr.P.C was dismissed.

A bare perusal of the impugned order shows that the application of the petitioner had been dismissed, as the accused had 60% burn injuries and remained admitted in PGIMS Rohtak for about 2 ½ months and had she participated in the crime then there was no possibility to receive such burn injuries on her person. She might received this injuries while trying to save the deceased. Further the deceased was brought up by her father and grand parents and the present petitioner did not even attend the marriage of her deceased daughter. Thus, there was no role of accused in committing the alleged crime and has rightly been placed in column No. 2 of challan report.

Heard.

All the above said evidence were sufficient enough to dismiss the application under Section 319 Cr.P.C, as Hon'ble the Supreme Court has consistently held that the evidence should be more than prima facie evidence, if the additional accused are to be summoned.

The petition stands dismissed.

20.03.2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No