

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

CRR No.3872 of 2016 (O&M)

Date of decision : 12.01.2017

Parvinder Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Pannu, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

Mr. Arnav Sood, Advocate for respondent Nos.2 to 4.

JITENDRA CHAUHAN, J. (Oral)

The instant revision petition has been filed against the impugned order dated 12.09.2016 passed by learned Addl. Sessions Judge, Hoshiarpur, whereby application under Section 319 of the Code of Criminal Procedure (for short 'Cr.P.C') for summoning respondent Nos.2 to 4 as additional accused, has been dismissed.

The learned counsel for the petitioner states that in the statement recorded under Section 161 Cr.P.C. and in examination-in-chief, petitioner had specifically mentioned the names and roles of respondent Nos.2 to 4. Thus, the impugned order is absolutely against the facts and deserves to be set aside.

On the other hand, the learned State counsel as well as learned

counsel for respondent Nos.2 to 4 have supported the order under challenge and prayed for dismissal of the present petition.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

As per the statement of the petitioner, respondent Nos.2 and 3 caught hold of the deceased, father of the petitioner, from his legs and arms and gave beatings to him at the instance of respondent No.4 who was present at the spot. However, as per the medical record there were no external injury marks on the person of the deceased. Thus, the version of the petitioner becomes doubtful. Moreover, as per the inquiry report dated 10.10.2015, respondent Nos.2 to 4 were not present at the spot of occurrence. In these circumstances, this Court feels that the impugned order has been passed after proper appreciation of evidence on record and application of judicial mind. Therefore, this Court does not find any ground to interfere with the impugned order, in exercise of its revisional jurisdiction.

Consequently, the present revision petition fails and is hereby dismissed.

12.01.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No