

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-3901-2016 (O&M)

Date of Decision:- 02.03.2017

Harpreet Singh @ Happy

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Amit Arora, Advocate,
for the petitioner.

RITU BAHRI, J. (Oral)

Petitioner-complainant has come in revision against order dated 31.08.2016, passed by Additional Sessions Judge, Tarn Taran, whereby an application under Section 319 Cr.P.C., filed by him, to summon Harpreet Singh alias Happy son of Narinder Singh, Gurmeet Kaur wife of Narinder Singh, Rajbir Singh alias Kali son of Gurdial Singh and Amandeep Singh son of Gurdial Singh (respondent Nos.2 to 5), has been dismissed.

Learned counsel for the petitioner submits that sister of the petitioner, namely, Sonupreet had been enticed and taken away by accused Pargat Singh @ Bagga in connivance with respondent Nos.2 to 5 and thereafter he solemnized marriage with his sister. Moreover, sister of the petitioner was minor at the time of marriage and as per the allegations in the FIR there are specific allegations against the persons, who are sought to be

As is evident from the record that after registration of FIR, investigation was carried out and challan was presented only against accused Pargat Singh. Further, the complainant has stated that all the accused persons have participated in the commission of offence. Consequently, learned Additional Sessions Judge, Tarn Taran, finding no ground to proceed against them (respondent Nos.2 to 5), dismissed the application filed under Section 319 Cr.P.C., vide order dated 31.08.2016.

After hearing the learned counsel for the petitioner, going through the record, this Court is of the considered view that learned Additional Sessions Judge, Tarn Taran, has rightly passed the impugned order after appreciating the evidence in the correct prospective. Such order, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of jurisdiction of this Court under Section 401 Cr.P.C., unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner-complainant, so, the impugned order deserves to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant revision petition is hereby dismissed as such.

March 02, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No