

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

**CRR No.4177 of 2016
Date of Decision: 30.05.2017**

Sahid

.....Petitioner

Vs.

Kanchid @ Karan etc.

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.J.S.Hooda, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

This petitioners have come up in revision against the order dated 20.08.2016 whereby, dismissing the application of the petitioner for summoning the respondents No.1 to 4 as additional accused under Section 319 Cr.P.C.

A perusal of the order dated 20.08.2016 shows that in the statement made by the victim under Section 164 Cr.P.C., on 13.02.2016 she had accompanied the accused Ranjan to Chennai of her own free will. The victim did not marry Ranjan @ Niranjana but they lived as husband and wife. She further stated that she has been in love with accused Niranjana who never raped her. Secondly; it is clear from MLR dated 13.02.2016 that the victim refused to submit herself for medico-legal examination. Learned Court below dismissed the application on the ground that only the oral deposition of the victim would not be a sufficient evidence to summon the additional accused under Section 319 Cr.P.C and the learned Court below had rightly applied the ratio of law laid down in the case of Hardeep Singh vs. Kukam Chand, 2007 (3) RCR (Criminal) 141 in support of this case.

So in the light of the discussion, the orders of the Court below do not reflect any material irregularity or perversity which warrant interference. Hence the present revision stands dismissed.

**(RITU BAHRI)
JUDGE**

30.05.2017