

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-1205-2017 (O&M)
Date of Decision:- 29.03.2017

Satpal Thakur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sumit Gupta, Advocate,
for the petitioner.

RITU BAHRI, J. (Oral)

Petitioner-complainant has come in revision against order dated 07.03.2017, passed by Additional Sessions Judge, SAS Nagar, Mohali, whereby an application under Section 319 Cr.P.C., filed by the prosecution, to summon Naresh Kakran, Anita, Nidhi and Nisha (respondent Nos.2 to 5), has been dismissed.

As is evident from the record that after registration of FIR, investigation was carried out and the persons who are sought to be summoned were kept in Column No.2 of the challan. Further, the complainant has stated that all the accused persons have harassed her daughter in the commission of offence. Consequently, learned Additional Sessions Judge, SAS Nagar, Mohali, finding no ground to proceed against respondent Nos.2 to 5, has dismissed the application filed under Section 319

Cr.P.C., vide order dated 07.03.2017 on the ground that in the statement of complainant as PW-2, he specifically levelled allegations against accused Naveen Kakran for harassing her daughter even after their separation and no such allegation is levelled against aforementioned persons.

After hearing the learned counsel for the petitioner, going through the record, this Court is of the considered view that learned Additional Sessions Judge, SAS Nagar, Mohali, 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 29, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No