

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

**CRR No. 2091 of 2017
DECIDED ON : 08.09.2017**

Ajay Kumar

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. A. K. Spehia, Advocate,
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the impugned order dated 03.05.2017, whereby Additional Sessions Judge, Jalandhar has dismissed the application of petitioner for summoning respondents No.2 and 3 as additional accused.

The allegations against accused No.3-Anuradha are that she was working in ICICI Bank and without proper I.D proof and documents in that regard, she had transferred the amount to the account of Jaswant Singh-accused. However, there did not seem to be a prima facie case suggesting involvement of Anuradha-respondent No.3 in the kidnapping of petitioner as well as for receipt of the ransom amount. The fact that she was working in the Bank and the allegations of mere negligence in not insisting for supplying proper documents, in the absence of anything else, would not constitute a prima facie case warranting her summoning as an accused. The trial Court has, therefore,

rightly dismissed the application of the petitioner qua summoning of Anuradha-respondent No.3 as an accused.

Learned counsel for the petitioner, however, contends that accused Arman Jahan-respondent No.2 was involved in the crime as an amount of ₹49,000/-, which was part of the ransom amount, was deposited in her account.

Insofar as the case regarding involvement of accused Arman Jahan-respondent No.2 is concerned, it is alleged that she had received part of the ransom money which was deposited in her account. However, the particulars, including the date of deposit of the amount in her account, have not been set out by the petitioner. The petitioner in his statement made under Section 164 Cr.P.C which was recorded before the Magistrate, had not named Anuradha and Arman Jahan (respondents No.2 and 3) as accused.

Consequently, I do not find any illegality in the impugned order dated 03.05.2017 declining the summoning of respondents No.2 and 3 as additional accused under Section 319 Cr.P.C.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

SEPTEMBER 08, 2017
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| 1. | Whether speaking/reasoned : | YES/NO |
| 2. | Whether reportable : | YES/NO |