

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

CRR-244-2017

Date of decision : 12.10.2017

Ekrar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : None for the petitioner.

H.S. MADAAN, J. (Oral)

Learned counsel for the petitioner has circulated a written request for adjournment, but I do not see any justification for accepting that request.

On the last date of hearing i.e. 29.09.2017, order was passed in presence of counsel for the petitioner when he had prayed for adjournment, which was found to be without any justification, but in the interest of justice one more opportunity for addressing arguments was given to him fixing the case for today, but counsel has not turned up and instead circulated a written request for adjournment. On the earlier dates also he had been seeking adjournments for one reason or the other, therefore, request is declined and I proceed to decide the case after going through the record.

By way of filing present revision petition, the petitioner has challenged order dated 08.12.2016 passed by learned Addl. Sessions Judge, Panipat vide which application under Section 319 Cr.P.C. filed by the prosecution for summoning of accused Sunny son of Mukesh, Shubhash son of Neeraj, Firshok son of Anand, Keshto son of Rakesh and a dumb boy was dismissed. Such persons though named in the FIR had not been challaned and it was only during the trial after recording statement of Dr. Pawan as PW-1, Surender Singh Record-Keeper as PW-2 and complainant Ikrar as PW-3, the application has been moved. The trial Court filed by a well reasoned order, came to the conclusion that summoning of such additional accused was not called for observing that complainant / injured - Ikrar had specifically attributed role to only Rahul, Gaurav son of Krishan and Gaurav son of Mukesh, who were facing trial and even as per MLR four injuries had been observed. The trial Court has considered the latest law on the subject also. Therefore, I do not find any illegality or infirmity in the impugned order. The revision petition is found to be without any merit and is dismissed accordingly.

12.10.2017*Gaurav Sorot*

**(H.S. MADAAN)
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**