

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

CRR No.2557 of 2017 (O&M)

Date of Decision: 03.11.2017.

Anil Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Anjum Ahmed, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

CRM No. 31444 of 2017

The application stands allowed. Annexure P-4 is
taken on record subject to all just exceptions.

Main case

This revision is directed against the order dated
03.07.2017 passed by Additional Sessions Judge, Faridabad vide which
application filed by the complainant/petitioner under Section 319
Cr.P.C for summoning respondent Nos. 2 to 5 as additional accused
was dismissed.

Learned counsel for the petitioner contends that the
Court below has committed grave error in dismissing the application
filed by the complainant/petitioner under section 319 Cr.P.C. PW-9,
Anil Kumar has levelled specific allegations against respondent
respondent Nos. 2 to 5.

Heard.

Respondent Nos.2 and 3 are unmarried daughter and

son of co-accused Jai Chand whereas, respondent Nos. 4 & 5 are uncles of co-accused. By the detailed order, the trial Court has observed that respondent Nos. 1 & 2 being unmarried and respondent Nos. 3 & 4 being distant relatives did not have any effective control in the settlement of the marriage or in the day-to-day life of the husband and wife. No case for summoning is made out. Hon'ble the Supreme Court in **Preeti Gupta and another vs. State of Jharkhand and another** **Crl. Appeal No.1512 of 2010 decided on 13.08.2010** has observed as under:-

“Before parting with this case, we would like to observe that a serious relook of the entire provision is warranted by the legislation. It is also a matter of common knowledge that exaggerated versions of the incident are reflected in a large number of complaints. The tendency of over implication is also reflected in a very large number of cases.”

Consequently, the petition is dismissed.

03.11.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No