

CRR No. 4634 of 2017(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 4634 of 2017(O&M)
Date of Decision : 13.12.2017

Balbir Kaur @ Balvir Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ashish Bakshi, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner has challenged the order dated 04.05.2017, whereby she has been summoned as an accused to face trial under Section 319 of Cr.P.C.

Learned counsel for the petitioner contends that the police during enquiry had found the petitioner to be innocent and, therefore, the impugned order summoning the petitioner as an additional accused under Section 319 Cr.P.C. is unsustainable.

The FIR No. 75 under Sections 323, 324, 341, 506, 148, 149 IPC and Section 307 IPC added later on, was registered on 04.05.2015 at Police Station Ladowal, District Ludhiana by Gian Chand. It is specifically mentioned in the FIR that the petitioner Balbir Kaur had hit the wife of the complainant, namely, Kamlesh Kaur on her head with a baseball bat. The MLR of Kamlesh Kaur indicates that there is lacerated wound on her head. No other accused has been attributed any injury on the head of Kamlesh

Kaur. The complainant while appearing before the Court as PW1 had again specifically stated that Balbir Kaur armed with baseball bat had given a blow to his wife, Kamlesh Kaur on her head.

Therefore, when there is a specific allegation against the petitioner of having caused injury on the head of the wife of the complainant, which is corroborated by the medicolegal report and this injury is not attributed to any other accused, I do not find any illegality in the impugned order dated 04.05.2017 summoning the petitioner as an additional accused under Section 319 Cr.P.C. to face trial.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

December 13, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>