

In the High Court of Punjab and Haryana at Chandigarh

CRR- 97 of 2017

Date of Decision: 17.1.2017

Farukh

---Petitioner

versus

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Rakesh Gupta, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition directs challenge against order dated 3.11.2016 passed by the Additional Sessions Judge, Mewat whereby the petitioner has been summoned as an additional accused to face criminal proceedings for offence under Sections 363, 366-A of the Indian Penal Code (in short "IPC") and Section 6 of the Prevention of the Children from Sexual Offences Act, 2012.

Perusal of the impugned order would evident that name of the present petitioner came to fore at the first available opportunity when the FIR was registered at the instance of grand father of the victim. Later, when the victim was recovered, she got recorded her statement and attributed a specific role to the present petitioner with regard to her kidnapping and subjecting her to rape. The trial court has further noticed that the investigating agency has not assigned any reason much less well founded to declare the petitioner innocent and further keeping him in

column No. 2 of the report under Section 173 of the Code of Criminal Procedure. Taking into consideration the findings recorded by the trial court, I do not find any reason to interfere in the impugned order.

For the foregoing reasons, the petition fails and is accordingly dismissed in limine. However, nothing stated in this order shall cause prejudice to the petitioner in the pending trial.

(Rekha Mittal)
Judge

17.1.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No