

CRR-1026-2014(O&M)  
Date of decision : 18.09.2018

Surjit

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH  
\*\*\*Present: Mr. Ashok Kaushik, Advocate  
for the petitioner.

Mr.Parveen Aggarwal, DAG, Haryana.

Mr. Bijender Dhankar, Advocate  
for respondent No.2.

\*\*\*

KULDIP SINGH, J. (ORAL)

Heard.

The respondents were summoned by learned Magistrate under Section 319 Cr.P.C. The order was set aside in revision by Additional Sessions Judge, Palwal vide order dated 24.12.2013. It comes on record that regarding the same occurrence State case is pending in which respondents have been summoned and are facing trial. However, vide order dated 20.02.2014 the said order was also set aside by Additional Sessions Judge, Palwal. In this way the summoning order under Section 319 Cr.P.C. stands set aside in both the State as well as the complaint case.

I am of the view that there are specific allegations attributed to the private respondents, therefore, there is no illegality in summoning them in the State case. However, in the complaint case summoning order

qua Kishan alias Kishni is set aside and he is directed to face trial in the State case. Needless to say that in view of the provisions of Section 210 Cr.P.C. the State case and the complaint case would be tried together.

Petition stands disposed of.

( KULDIP SINGH )  
JUDGE

18.09.2018  
sunita

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |