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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

SANJIV KUMAR SHARMA  
10/11/2018 15:49  
I attest to the accuracy and  
authenticity of this document

CRM-M-52309-2018 (O/M)  
Date of decision : 28.11.2018

Vinay Kumar Verma ..... Petitioner (s)

Versus

State of Punjab and another ..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Manju Sharma, Advocate, for,  
Mr. G.S. Verma, Advocate,  
for petitioner.

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KULDIP SINGH, J. (ORAL)

Impugned in present petition is dated 25.5.2018 (Annexure-P-4), passed by learned Additional Sessions Judge, Ludhiana, vide which revision against order dated 16.9.2015 (Annexure-P-3), passed by learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana, refusing to summon Inspector Prem Singh as additional accused under Section 319 Cr.P.C., was dismissed.

I have heard learned proxy counsel appearing for learned counsel for petitioner and have carefully gone through order of lower Court as well as revisional Court.

In this case, some injuries were caused on the person of complainant by accused. Prosecution had filed application that accused attacked and caused injuries on the person of complainant in conspiracy with Inspector Prem Singh. The trial Court has held that evidence of complainant is merely hearsay evidence as no evidence is available to conclude that any conspiracy was hatched by Inspector Prem Singh as he was not present at spot. Therefore, merely because of suspicion of

petitioner, he cannot be summoned as additional accused. There is no illegality or infirmity in order dated 16.9.2015 (Annexure-P-3), passed by learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana, as affirmed by learned Additional Sessions Judge, Ludhiana, in his order dated 25.5.2018 (Annexure-P-4). Therefore, petition is dismissed.

(KULDIP SINGH)  
JUDGE

28.11.2018  
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No