

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR-2328-2016 (O&M)

Date of decision : 30.7.2018

Krishan and others

... Petitioners

VERSUS

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Jasbir Mor, Advocate,
for the petitioners.

Mr. R.K.Makkad, DAG, Haryana.

Mr. Ashish Pannu, Advocate,
for the complainant.

RAJ SHEKHAR ATTRI, J.(Oral)

This is a petition for setting aside the impugned order dated 6.6.2016 passed by learned Additional Sessions Judge, Sonapat whereby on an application moved by the complainant under Section 319 Code of Criminal Procedure, the petitioners have been summoned to face trial as additional accused.

The facts of the case are that Smt. Geeta was married with Sanjiv Kumar. The petitioners are the parents-in-law of Geeta aforesaid whereas Krishan is the husband's brother. Said Geeta was murdered brutally by giving her 17 injuries in the matrimonial home.

After her death, FIR was lodged by her brother implicating all the petitioners. However, during the investigation, they were exonerated by the investigating officer solely on the ground that they were living

During the trial, an application under Section 319 Code of Criminal Procedure was moved which was allowed vide order dated 6.6.2016 and the petitioners were summoned to face trial along with their son Sanjiv. The petitioners challenged this order dated 6.6.2016.

I have heard the learned counsel for the parties and gone through the record.

A *prima facie* case is made out against the petitioners. Their plea that Smt. Geeta and her husband were staying separately is to be considered by the learned trial Court and not by this Court.

After going through the record, this Court is of the view that there is no illegality, irregularity or infirmity in the impugned order. Accordingly, the present petition stands dismissed.

July 30, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No