

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.9566 of 2018
DATE OF DECISION:07.05.2018

Sumit Kumar

...Petitioner

Vs.

State of Haryana

..Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Shekhar Verma, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Nitish Bhatia, Advocate
for the complainant.

DAYA CHAUDHARY, J.(ORAL)

Learned counsel for the petitioner submits that petitioner was not named in the FIR but has been named in the category of “others” whereas neither any role has been attributed to him nor he has been identified even from any person present at the spot.

Learned State counsel on instructions from ASI Rajesh Kumar submits that petitioner was recognized by the brother of the victim. As per allegations in the FIR presence of brother of the victim is not mentioned. Only because of aid of section 120-B IPC, the petitioner has been implicated. As far as role of the petitioner by considering him in the category of “others” is concerned, that is a matter of evidence during trial.

In view of the above, order dated 08.03.2017 passed by this

Court is made absolute.

Petition stands disposed of accordingly.

07.05.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No