

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

CRR-1657-2018(O&M)

Date of decision:-10.5.2018

Virender @ Nanhar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Ankur Lal, Advocate
for the petitioner.

H.S. MADAAN, J.

This revision petition is directed against the order dated 6.4.2018 passed by the Court of learned Additional Sessions Judge, Bhiwani vide which he had summoned petitioner – Virender @ Nanhar under Section 319 Cr.P.C. to face trial along with the accused already facing trial.

I have heard learned counsel for the petitioner besides going through the record.

Admittedly, the petitioner is specifically named in the FIR and his name figures in the suicide note left by the deceased. Though learned counsel for the petitioner has contended that from the allegations

in the FIR and in the suicide note, no abetment on the part of petitioner is made out, which might have contributed towards suicide of the deceased. However, I find that whether abetment is made out or not can be determined only on conclusion of trial and at this stage, it is to be seen as to whether sufficient material is there to summon the petitioner as additional accused. Learned Additional Sessions Judge, Bhiwani vide impugned order discussing all the facts and circumstances of the case, law on the subject has concluded that there is prima facie sufficient evidence available on the file against the proposed accused Virender to try him as an additional accused along with challaned accused under Section 306/34 IPC.

In view of the above discussion, no infirmity or illegality in the impugned order is found to be there, which might have warranted interference by this Court while exercising powers under Section 401 Cr.P.C.

Resultantly, the revision petition stands dismissed.

10.5.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No