

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

**CRR-520-2017 (O&M)
Date of Decision: 27.11.2018**

Subbi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.Harpreet Singh, Advocate, for
Mr. K.B.Raheja, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Saleem Ahmed, Advocate,
for respondent Nos. 2 to 4.

JAISHREE THAKUR, J. (Oral)

This criminal revision petition has been filed seeking to challenge the order dated 21.01.2017 passed by Special Judge, under the Protection of Children from Sexual Offences Act, Mewat whereby the application filed under Section 319 Cr.P.C. for summoning respondent Nos. 2 to 4 as an additional accused, was dismissed.

In brief, an FIR No. 104 dated 10.09.2016 under Sections 365, 366-A, 506 IPC and Section 6 of POCSO Act came to be registered at Women Police Station Nuh against several persons out of which challan was presented only against Mohd. Sahil and Tohid, while the others were kept in column No.2. During the proceedings before the trial Court, an application under Section 319 Cr.P.C. came to be filed for summoning

additional accused, namely Jabbar son of Gabdu, Arshad son of Mohbta and Safi son of Wali Mohammed, all residents of village Khawajili-Kalan, Police Station Pingwan, District Mewat, which application was dismissed vide impugned order. Aggrieved, the complainant has filed the instant revision petition seeking to summon respondent Nos. 2 to 4 as an additional accused.

Learned counsel for the respondent-State submits that the instant revision has been rendered infructuous on account of the fact that the main accused themselves have been acquitted of the charges framed on the ground that the prosecution has not been able to prove its case against them by order dated 19.09.2018.

In view of the fact that the main accused have been acquitted, the instant revision petition stands rendered infructuous and the same is disposed of accordingly.

27.11.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No