

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Revision No. 3898 of 2018 (O&M)

Date of Decision: 03.12.2018

Pappu alias Jagdish

... Petitioner(s)

Versus

Bansi and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Paramjit Singh Jammu, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present revision petition is against order dated 03.10.2018, passed by the learned Additional Sessions Judge, Sirsa vide which application under Section 319 Cr.P.C., moved by the petitioner for summoning respondents No.1 to 11 as additional accused to face trial, was dismissed.

Learned counsel for the petitioner contended that respondents No.1 to 11 were actually involved in the commission of offence and they have been left out by the Investigating Agency without any reason and the learned Court below has not appreciated the matter in controversy in its true perspective.

Having heard the submissions made by learned counsel for the petitioner, this Court is of the view that the learned trial Judge has already considered this aspect while appreciating the material and evidence available

before the Court and arrived at the conclusion that there are no grounds to proceed against respondents No.1 to 11 while exercising the powers under Section 319 Cr.P.C. Primarily, it is the discretion of the learned trial Judge to look into on the basis of material and evidence available on the record whether something is available so as to proceed to summon anybody else as an additional accused or not and in this course, the learned trial Judge has already exercised that power judiciously. Thus, no ground is made out to interfere in the impugned order dated 03.10.2018 and as such, present revision petition stands dismissed.

(Shekher Dhawan)
Judge

December 03, 2018
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No