

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
110**

**CRR-859-2018 &
CRM-8195 and 10115-2018**

Date of decision: 20.03.2018

Satvir Singh

...PETITIONER

VS.

State of Haryana and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.S.Sahu, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)
CRM-10115-2018

C.M. is allowed subject to just exceptions. Copy of MLR dated
14.04.2016 (Annexure P-9) is taken on record.

CRR-859-2018

Challenge in this petition is to the order dated 06.12.2017
passed by the Additional Sessions Judge, Fatehabad, whereby an application
moved under Section 319 Cr. P.C. by the prosecution for summoning Satpal
son of Mohan Lal, Anuj son of Satpal and Savitri wife of Mohan Lal as
additional accused has been dismissed by the trial Court.

It is the contention of the learned counsel for the petitioner that
a specific role has been attributed to the above-mentioned persons in the
FIR but despite that, the police has not filed any challan against them. Even
before the trial Court, the complainant has specifically attributed roles to the
above-mentioned persons who need to be summoned as additional accused
but despite that, the Court has dismissed the application of the prosecution.
He has referred to the Medico-Legal Report of the complainant to
substantiate his assertion that Satpal has caused injury on the head of the

complainant whereas Anuj has caused injury on the leg of the complainant and Savitri has been attributed a *lalkara*. He, on the basis of the medical evidence, contends that the corresponding injuries have been found on the head and the legs of the complainant and, therefore, they need to be summoned as additional accused.

I have considered the submissions made by the counsel for the petitioner and have gone through the records as also the impugned order but do not find any substance in the petition in the light of the fact that the specific allegation, which has been made qua Satpal, is that he has caused injury on the head of the complainant with pointed weapon whereas the injury, which has been found on the head of the complainant, is with a blunt weapon and is abrasio-contusive lesion. Similarly, no corresponding injury has been found which could be attributed to Anuj and Savitri has only been attributed a *lalkara*. In an enquiry conducted by the Deputy Superintendent of Police, the persons, who are sought to be summoned as additional accused, have been found to be innocent. The reasons, which are explained by the trial Court for not summoning Satpal, Anuj and Savitri as additional accused, are justified and in accordance with law which do not call for any interference by this Court.

The petition being devoid of any merits stands dismissed.

CRM-8195-2018

In the light of the dismissal of the main case, the present application has been rendered infructuous and is disposed of as such.

March 20, 2018**(AUGUSTINE GEORGE MASIH)
JUDGE***pj*

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No