

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

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**C.R.M-M No.121 of 2019
Date of Decision : 08.01.2019**

Jarnail Singh

..... Petitioner

Versus

R.N. Sharma

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. M.K. Singla, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This is a petition under Section 482 Cr.P.C. against the concurrent orders of the courts below declining an application under Section 319 Cr.P.C. wherein the petitioner-complainant had sought to summon the respondent as an additional accused.

The case of the petitioner is that the respondent had signed as a witness to the forged compromise deed but he was not named earlier because his whereabouts were not known and only when the accused examined him as defence witness did his whereabouts had come to the knowledge of the petitioner and immediately the application was moved. The courts below rejected the application holding that the lack of knowledge of the whereabouts is no ground to not mention the person as an accused if indeed he was party to the forgery.

In my opinion, no fault can be found with the reasoning given

by the courts below. Even if the petitioner was not aware of the whereabouts of the respondent, there was no bar to naming him in the complaint.

Petition is dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

January 08, 2019
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No