

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-8416 of 2019
Date of Decision: November 05, 2019.

Hakam SinghPetitioner

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Manish Kumar Singla, Advocate, for the petitioner.
Mr.Hittan Nehra, Additional AG, Punjab.

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Anil Kshetarpal, J. (Oral)

The petitioner challenges the order dated 06.01.2018 passed by learned Sub Divisional Judicial Magistrate, Sunam, which has been affirmed in revision. An application filed under Section 319 Cr.P.C. for summoning the additional accused has been dismissed by both the Courts below. The Courts have found that in the enquiry, the Deputy Superintendent of Police has found that additional accused sought to be summoned, were not present at the place of occurrence. Both the Courts below have taken a reasonable and probable view. For summoning the additional accused, prosecution is required to prove more than *prima-facie* case against the accused who are sought to be summoned, as has been held by the Constitutional Bench in the case of **Hardeep Singh versus State of Punjab and others, 2014(1) R.C.R. (Criminal) 623.**

In view of the above, no ground is made out to interfere.

Dismissed.

November 05, 2019

mohinder

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No