

CRM-M-39148 of 2017

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

CRM-M-39148 of 2017
Date of decision: 22.01.2019

Baby @ Anju

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM:HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Yashdeep Nain, Advocate, for the petitioner.
Mr. Vijesh Sharma, DAG, Haryana.
Mr. Ashit Malik, Advocate, for respondents No. 2 to 4.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., challenge has been laid to order dated 26.05.2017 (Annexure P-7) passed by the Revisional Court, whereby order of the trial Court dated 25.11.2016 (Annexure P-5) dismissing, the application of the petitioner under Section 319 Cr.P.C., was affirmed.

Briefly, the petitioner lodged FIR No. 10, dated 21.01.2015 against respondents No. 2 to 4 and some other persons under Section 323 and 506 IPC at Police Station Ismailabad. After due investigation, final report under Section 173 (2) Cr.P.C., was filed in Court concerned by the police.

During trial, petitioner moved application under Section 319 Cr.P.C., to summon three more persons as additional accused namely Sunil, Surender and Rohit, who were declared innocent by the police and placed in column No.2 of the final report under

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Section 173(2) Cr.P.C.

The trial Court after hearing both the sides dismissed the said application of the petitioner vide order dated 25.11.2016 (Annexure P-5).

Being dissatisfied, the petitioner approached the Revisional Court, but remained unsuccessful as his revision too was dismissed vide order dated 26.05.2017 (Annexure P-7).

After hearing counsel for the parties and going through the orders passed by both the Courts below no illegality and perversity in the same is found, for the reason to follow.

In his initial version Ex.PW2/A, which culminated into FIR, petitioner-complainant did not specify any overtact carried out by private respondents. Even in her aforesaid initial complaint, no specific role was attributed to the respondents. However, while appearing as PW3, petitioner-complainant improving her initial version, specified role of the private respondents, which has rightly been considered with suspicion by both the Courts below.

In view of discussion made above, instant petition is dismissed.

January 22, 2019
Poonam Sharma/R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No