

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4532-2017 (O&M)
Date of decision : 07.11.2019

Harpreet Singh @ Happy

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Agnihotri, Advocate for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Even after service of notice, respondent No.2 has not chosen to appear.

Challenge is to the order passed by the learned Additional Session Judge, Hoshiarpur allowing application under Section 319 Cr.P.C. for summoning the petitioner as an additional accused. It has been pleaded in the petition that the incident in question had taken place on 17.12.2015 whereas petitioner was out of country from 10.12.2015 to 18.03.2016.

Police after investigation, did not find any material to implicate the petitioner. However, learned Court allowed the application after considering the statement of Bhupinder Singh-PW3.

Keeping in view the allegations made that the petitioner was out of country prima facie supported by entry in the passport, it is considered appropriate to direct learned Additional Session Judge to pass fresh order after reconsidering the matter.

In view of the above, the present petition is disposed of.

07.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

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