

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

121

CRM-M-49271 of 2018

Date of decision: 16.01.2019

Rajwant Kaur

..Petitioner

Vs.

State of Punjab Etc.

..Respondents

CORAM:HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Pardeep Rajput, Advocate
for the petitioner.

RAMENDRA JAIN, J.(ORAL)

Through this petition under Section 482 Cr.P.C., a prayer has been made for quashing the order dated 24.08.2018 (Annexure P-1) vide which the revisional Court has dismissed her revision against order dated 18.09.2017 of the trial Court, dismissing her application under Section 319 Cr.P.C, for summoning Sawinder Kaur as additional accused.

Briefly, the petitioner got lodged FIR against two persons Palwinder Singh and his wife Sawinder Kaur/respondent No.2 for cheating and defrauding her for ₹ 21,50,000/- on the pretext of sale of a plot not owned by them. They showed to the complainant, a disputed plot owned by one Pushpa of quite less value than the money aforesaid already taken by them from the complainant.

Police during investigation found respondent No. 2/Sawinder Kaur innocent. Therefore, she was placed in column 2 under Section 173 (2) Cr.P.C. The complainant after recording

her statement as PW-1 moved application under Section 319 Cr.P.C., for summoning Sawinder Kaur as additional accused, which after hearing was dismissed vide order dated 18.09.2017.

Being aggrieved by the said order, the petitioner approached the revisional Court, but remained unsuccessful as her revision too was dismissed vide impugned order dated 24.08.2018 (Annexure P-1).

Heard.

Both the Courts below have opined that whatsoever money was deposited in the account of respondent No.2 was at the behest of her husband-Palvinder Singh, who is already facing trial.

In revision, this Court has very limited power, which can only be exercised, (i) when the Courts below have acted beyond their jurisdiction vested in them or (ii) have not exercised the same diligently and (iii) have exercised it illegally. Learned counsel for the petitioner has not been able to show any of the illegalities, mentioned above.

After going through the judgments of both the Courts below, this Court does not find any such infirmity, inasmuch as, they are well-reasoned and based on appreciation of evidence. Therefore, the same are not required to be interfered with.

Dismissed.

January 16, 2019

Poonam Sharma

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No