

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

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CRR-1569-2019

DATE OF DECISION:08.07.2019

NAGINA DEVI

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.S. Gill, Advocate for the petitioner(s).

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order of the trial Court dated 24.04.2019 (Annexure P-1) whereby the application under Section 319 Cr.P.C. for summoning the private respondents as additional accused, has been dismissed.

Learned counsel for the petitioner contends that the petitioner had specifically named the private respondents in the complaint and they had also participated in the commission of the offence by administering some intoxicating substance/poison to her.

Heard.

It is manifest that husband of the petitioner is facing trial for an offence under Sections 323/328/506 IPC. The petitioner was allegedly administered intoxicating substance/poison. The petitioner/complainant has merely reiterated in her deposition before the court, the allegations in the complaint wherein she has not been able to pinpoint the role played by the private respondents in the commission of the offence. She had vaguely stated that all of them had assaulted her and administered poisonous substance. It is

also apparent from the perusal of the impugned order that the complainant was unable to mention the nature of the alleged poison administered to her. Her blood sample had been taken which did not indicate any abnormality. There is no *prima facie* evidence that she was administered poisonous substance by the private respondents. The private respondents are the relatives of the husband of the complainant and one cannot lose sight of the fact that very often family members are unnecessarily roped in to face criminal prosecution.

Therefore, I do not find any illegality in the impugned order, which would warrant any interference by this court, while exercising the revisional jurisdiction.

Consequently, the petition stands dismissed.

08.07.2019

(ANUPINDER SINGH GREWAL)
JUDGE

SwarnjitS

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