

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR-3797-2018 (O&M)
Date of Decision:-30.9.2019

Kamlesh Rani ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Goyal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. A.G.S. Dhillon, Advocate for respondent No.4.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court challenging order dated 25.10.2018 passed by learned Sessions Judge, Sangrur, whereby his application under Section 319 Cr.P.C. for summoning of respondent No.4 Iqbal has been dismissed.
2. The learned counsel for the petitioner has submitted that the stand of the prosecutrix has been consistent in the FIR and also when she stepped into the witness box and that in these circumstances, the trial Court fell in error in declining the application under Section 319 Cr.P.C. so as to summon respondent No.4 Iqbal.
3. I have heard the learned counsel for the petitioner.

4. In the present case, a perusal of the impugned order would show that the application was infact opposed by the prosecution itself. Further, it transpires that Iqbal i.e. respondent No.4 is the one who had initially informed the police but later on he is also sought to be implicated.
5. This Court does not find any infirmity in the impugned order and the same is hereby upheld. There is no merit in the petition and the same is dismissed.

30.9.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No