

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

**CRR-4894-2017(O&M)
Date of decision: 06.02.2020**

Sonu

...Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Sant Lal Barwala, Advocate for respondent No. 2.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition challenging the order dated 10.10.2017 passed by learned Additional Sessions Judge, Hisar vide which the order dated 18.07.2017 passed by the learned Judicial Magistrate 1st Class, Hansi, dismissing the application under Section 319 Cr.P.C. preferred by complainant-respondent No. 2-Sahab Ram, was set aside and criminal revision was allowed.

Brief facts of the case are that Sahab Ram has moved an application under Section 319 Cr.P.C. for summoning of two accused namely Sonu son of Rajender and Shanti son of Mangali Ram. Vide order dated 18.07.2017, the said application qua Sonu was dismissed by the learned Judicial Magistrate 1st Class, Hansi on account vague and general allegations

against him and in the version of witness-Sunil Kumar there is no specific allegation of causing injury on a specific part of the complainant whereas Shanti was directed to face the trial in the main case.

Aggrieved by the order dated 18.07.2017, the complainant preferred a revision which was allowed vide order dated 10.10.2017 passed by the learned Additional Sessions Judge, Hisar.

Learned State counsel assisted by learned counsel for the complainant opposed the prayer made in the present petition.

It is a case in which, it has been specifically noted by the Revisional Court that the complainant has specifically named Sonu in the FIR and as well as in the statement recorded under Section 161 Cr.P.C., thus accordingly, Sonu was summoned.

After perusing the order dated 10.10.2017 passed by learned Additional Sessions Judge, Hisar and order dated 18.07.2017 passed by the learned Judicial Magistrate 1st Class, Hansi, I am of the view that the learned Revisional Court has rightly allowed the criminal revision preferred by the complainant-respondent No. 2 to summon Sonu as additional accused.

Present petition is dismissed accordingly.

(HARNARESH SINGH GILL)
JUDGE

06.02.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No