

CRM-M-42354 of 2019

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

CRM-M-42354 of 2019
Date of Decision: 13.02.2020

Luxmi Narain @ Tala and others

...Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ashit Malik, Advocate, for the petitioners.
Mr. Chetan Sharma, AAG, Haryana.
Mr. Arav Gupta, Advocate, for respondent No.2.

RAMENDRA JAIN, J. (ORAL)

Vakalatnama on behalf of respondent No.2 and reply by way of affidavit of Randhir Singh, Deputy Superintendent of Police, Indri, on behalf of respondent No.1-State, filed in Court today, are taken on record. Be tagged at appropriate place.

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing judgment of the revisional Court dated 21.08.2019 (Annexure P-8).

Grouse of the petitioners is that revisional Court vide order dated 21.08.2019 illegally directed the trial Court to summon petitioners inasmuch as revisional Court ought to have re-heard the petitioners and, in case, any *prima facie* case was found against them, then liberty should have been granted to the trial Court to summon the petitioners.

Learned counsel for respondent No.2 has not been able to rebut

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the above arguments of learned counsel for the petitioners.

In view of above, impugned order dated 21.08.2019 (Annexure P-8) is set aside to the above extent with direction to the trial Court to pass fresh order after re-hearing the complainant.

Disposed of.

February 13, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No