

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

**CRM-M-12761-2021**

**Date of decision-06.10.2021**

**Navdeep Singh**

**...Petitioner**

**Vs.**

**State of Punjab and another**

**...Respondents**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Param Preet Singh Brar, Advocate for the petitioner.

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**MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 482 Cr.P.C to challenge the revisional Court order dated 19.01.2019 passed by the trial Court under Section 319 Cr.P.C summoning the petitioner as an additional accused in case FIR No.63 dated 20.07.2016 registered under Sections 324, 323 and 34 Indian Penal Code, 1860 (Section 326 IPC added later on) at Police Station Bajakhana, District Fardikot, was upheld.

Learned counsel has argued that though the petitioner was named in the FIR, but the allegations differ materially from the medical evidence and on this ground, the petitioner was declared innocent. He submits that after commencement of trial against the co-accused, the complainant Angrej Singh was examined as PW-1 and on the basis of his testimony, the trial Court summoned the petitioner as additional accused vide order dated 19.01.2019 (Annexure P-4). According to him, the revisional Court has also upheld the said order through the

impugned order dated 02.02.2021 and submits that the said statement given by the complainant before the trial Court is similar to the version given before the police, therefore, the impugned orders deserve to be set aside.

During the course of hearing, it is fairly conceded by learned counsel that the petitioner was declared innocent pursuant to the inquiry conducted on his representation.

After hearing learned counsel and considering the material on record, this Court is of the opinion that the offences contained in the FIR are against human body and complainant has specifically deposed against the petitioner by elaborating his role in causing injuries to him. The petitioner was armed with spade who allegedly caused injury in the abdomen of complainant (injured), therefore, prima facie evidence on record shows involvement of the petitioner. Apart from it, a perusal of the order passed by the trial Court as well as the revisional Court reveals that the Courts have carefully gone through the material on record including the evidence of the complainant and have exercised the jurisdiction in accordance with law.

In view of the above, no case is made out for interference.

Dismissed.

**(MANOJ BAJAJ)**  
**JUDGE**

**06.10.2021**

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No