

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRR-603-2018

Date of Decision: 05.09.2022

Manju Bala

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. SK Arora, Advocate for the petitioner

Mr. Rajiv Verma, DAG Punjab

Mr. Inder Mohan Parihar, Advocate for respondents No.2&3

Sandeep Moudgil, J. (Oral)

This criminal revision petition is directed against the order dated 24.10.2017 passed by learned Sessions Judge, Faridkot (for short, 'trial court') vide which the application moved by the prosecution under Section 319 CrPC for summoning Arshdeep Singh s/o Kala Singh and Rajdeep Singh @ Gorkha s/o Jagga Singh to face trial as additional accused has been dismissed.

Initially on the statement of petitioner, FIR No.113 dated 05.10.2015 under Section 302/34 IPC was registered against Lakhwinder Singh @ Lakha, Arshdeep Singh and Rajdeep Singh at Police Station Sadar Faridkot. The allegation raised in the FIR was that the son (Bikramjit) of the petitioner, who developed intimacy with the daughter of Dungar Singh, was murdered by Lakhwinder Singh, Arshdeep Singh and Rajdeep Singh as they were having grudge against her son Bikramjit Singh due to his relationship with Ramandeep Kaur who was cousin sister of Arshdeep Singh. However, the police submitted charge-sheet only against Lakhwinder Singh and the

names of Arshdeep Singh and Rajdeep Singh were kept in Column No.2 in the final report under Section 173 CrPC.

I have heard learned counsel for the parties and gone through the record.

Counsel for the petitioner contended that the ingredients of Section 319 CrPC were fully satisfied as the names of Arshdeep Singh and Rajdeep Singh figured in the FIR.

It is an admitted fact that the son of the petitioner developed intimacy with Ramandeep Kaur and Arshdeep Singh, being cousin of Ramandeep Kaur, had a grudge against him. The trial court rightly did not find favour in the argument raised that since in the year 2010, the son of the petitioner was given beatings by Arshdeep Singh, Rajdeep Singh and Lakhwinder Singh, after 5 years they actively participated in the commission of murder of Bikramjit Singh – son of the petitioner, as the petitioner, as per her own version had left the village Quila Nau and shifted to Rampura Phul after 2010. Moreover, no material was found against the said persons in the supplementary challan/report under Section 173(8) CrPC.

In view of the above, no fault can be found with the order passed by the learned trial Court.

Dismissed.

05.09.2022

V.Vishal

1. Whether speaking/reasoned?

2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No

Yes/No