

2024:PHHC:002923

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

237

CRM-M-33358-2016

Date of Decision : **January 10, 2024**

SURINDER KAUR @ SIMRAN KAUR

.....Petitioner

VERSUS

GURKIRAT SINGH AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mrigank Sharma, Advocate for
Mr. P.K.Sekhon, Advocate
for the petitioner.

KULDEEP TIWARI. J.(Oral)

1. Through the instant petition, challenge is thrown to the order dated 5.6.2013 passed by the learned trial Court concerned, whereby, the private complaint filed under Sections 427 and 452 IPC to summon the private respondents and to face the trial, was dismissed finding no sufficient evidence to summon the respondents concerned.
2. Having aggrieved with the dismissal of complaint, the petitioner preferred statutory revision petition before the Court of learned Additional Sessions Judge, Jalandhar, which also met with the same fate and the same was dismissed vide order dated 18.9.2015.
3. Learned counsel for the petitioner submits that there is enough evidence on record adduced by the complainant, which is sufficient to summon the respondents-accused to face the trial, whereas, the learned trial Court concerned decided the issue as if the trial Court concerned is deciding the trial finally, whereas, the parameters for

summoning the accused are different than deciding the *lis*. He further submits that the evidence led by the complainant has not been appreciated in its right perspective and, therefore, prayer is made for setting aside the impugned orders.

4. This Court has examined the impugned orders passed by the Courts below and has not find any perversity, illegality or any error, which require interference by this Court. Except the bald statement of the petitioner, who stepped into the witness box as CW1, no other evidence was placed on record, which could establish that the respondents concerned have entered the house of the petitioner or demolished the house of the petitioner. Even the perusal of the complaint shows that the allegations are vague, which are not sufficient for summoning of the respondents-accused.

5. In view of the above discussion, the instant petition is, hereby, **dismissed**.

(KULDEEP TIWARI)
JUDGE

January 10, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No