



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

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CRM-M-29035-2014 (O&M)

Date of decision: 16.09.2025

NATHI RAM

.... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Parminder Singh, Advocate
for the petitioner(s).

Mr. Vipul Sherwal, AAG Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of Cr.P.C. is for quashing of the order dated 03.01.2012 (Annexure P-3) passed by the Judicial Magistrate Ist Class, Kurukshetra, whereby the application under Section 319 Cr.P.C. to summon the additional accused, namely, Ram Nath S/o Shri Sheo Ram and Devi Dutt S/o Shri Ram Chander, has been dismissed.

The learned counsel for the petitioner contends that the petitioner-Nathi Ram, when he was examined as PW-1, had duly named the two accused and sought to get them summoned as additional accused. Despite the said fact, the application under Section 319 of Cr.P.C. came to be dismissed. A revision preferred against the said order was also dismissed. Both these orders have been challenged in the present petition. He has, however, fairly conceded that the accused, who faced trial, have been acquitted by the Court of Judicial Magistrate Ist Class, Kurukshetra vide order dated 27.04.2015.

The learned counsel for the State has at the very outset submitted that

the two persons sought to be summoned have been rightly exonerated during the course of the investigation. Now that the accused, Som Nath, Megh Nath and Suresh Kumar have been acquitted, no useful purpose would be served by summoning Ram Nath and Devi Dutt as additional accused to face trial.

I have heard learned counsel for the parties.

The three accused, namely, Som Nath, Megh Nath and Suresh Kumar were challaned on conclusion of the investigation. However, Ram Nath and Devi Dutt were placed in Column No.2 and an application under Section 319 Cr.P.C. was filed to summon them, which came to be dismissed by the Trial Court. A revision was preferred against the said order, which met the similar fate. The instant petition was filed challenging the aforementioned order. Once the main accused who faced trial already stands acquitted, it would be an exercise in futility to summon the two persons namely, Ram Nath S/o Shri Sheo Ram and Devi Dutt S/o Shri Ram Chander, as additional accused.

In view of the above, I find no merit in the present petition and the same stands dismissed.

16.09.2025

Kusum

(JASJIT SINGH BEDI)
JUDGE

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