

CRM-M-20583-2021 (O & M)

2025:PHHC:154406



::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
(268)

CRM-M-20583-2021 (O & M)  
Date of Decision: 10.11.2025

Bijender

..... Petitioner

V/s

Manjoj Verma and ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Jaswinder Singh Rana, Advocate,  
for Mr. Parminder Singh, Advocate,  
for the petitioners.

Mr. Vipul Sherwal, AAG, Haryana.

\*\*\*\*\*

**JASJIT SINGH BEDI, J. (Oral)**

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the order dated 07.04.2021 (Annexure P-4) whereby the summoning order dated 18.11.2019 (Annexure P-3) has been set aside.

2. The brief facts of the case are that the petitioner-complainant filed a complaint alleging that on 01.09.2016 at about 12.00 O' Clock (Night), the accused persons knocked at his door on the pretext of asking for an address. He was forcibly put in a vehicle and beaten up. Thereafter, he was taken to Police Station CIA-II, Panipat where he was given severe beatings and 3<sup>rd</sup> degree torture. On the next day in the morning, his relatives



alongwith respectables came to Police Station CIA II, Panipat and rescued him. On being asked, the accused persons did not disclose as to why he had been picked up and beaten. They, on the other hand, threatened to use 3<sup>rd</sup> degree torture. He got himself medico legally examined and filed various complaints before the police but no action was taken because of which he had filed the complaint in question.

3. Based on the evidence, led, the private respondents were summoned to face Trial under Sections 323/365/342 and 506 IPC read with Section 34 IPC vide order dated 18.11.2019 (Annexure P-3).

4. The summoned accused filed a revision petition before the Court of Additional Sessions Judge, Panipat. The said Court set aside the summoning order (Annexure P-3) vide order dated 07.04.2021 (Annexure P-4).

5. It is this order (Annexure P-4) which is under challenge in the present petition.

6. The learned counsel for the petitioner-complainant contends that the impugned order (Annexure P-4) has been passed without proper appreciation of the material on record. The revisional Court came to a categorical conclusion that the petitioner had been abducted, though, there was no evidence of beating and torture. Once the factum of the abduction of the petitioner had been accepted by the revisional Court, the question of quashing the summoning order does not arise. The plea of *alibi* raised by some of the private respondents cannot be gone into in summary



proceedings before the revisional Court. In fact, the offence stands *prima facie* established for which the private respondents are liable to be tried. He, therefore, prays that the impugned order (Annexure P-4) be quashed and the private respondents be subjected to a Trial pursuant to the summoning order (Annexure P-3).

7. The learned counsel for the State, on the other hand, contends that the petition is misconceived and filed with *mala fide* intention with a view to falsely implicate the private respondents No.1 to 7/police officials. The identity of the private respondents has not been established inasmuch as their name does not find mention in any of the prior complaints made by the petitioner-complainant and he has not been able to furnish any explanation as to how he became aware of their identity when he filed the instant complaint. He, therefore, prays that no fault can be found in the impugned order (Annexure P-4) and the present petition is liable to be dismissed.

8. I have heard the learned counsel for the parties.

9. A perusal of the material on record would reveal that multiple enquiries were held by various police officials of different ranks. In all the enquiries, it has been mentioned that the petitioner-complainant was abducted from his residence on the intervening night of 01/02.09.2016 by some police officials of Police Station CIA-II, Panipat but the allegation with regard to beating and 3<sup>rd</sup> degree torture were found false. In the various enquiries conducted by the police officials, there is no specific mention of any private respondents. There is only a general observation that officers



from CIA-II Staff, Panipat had illegally abducted and detained the petitioner-complainant. Interestingly, all the enquiries are based on the statements of relatives and other members of the locality of the complainant only. There is no finding with regard to the witnesses examined and record produced by the private respondents. Further, there is no evidence as to how the petitioner-complainant had come to know about the names of the accused. Therefore, viewed from any angle, the identity of the private respondents as having allegedly committed the offences in question has not been established.

10. Keeping in view the aforementioned facts and circumstances, I find no merit in the present petition and the same stands dismissed.

11. The pending application(s), if any, shall stand disposed of accordingly.

November 10, 2025  
sukhpreet

( JASJIT SINGH BEDI)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No