

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42536-2019 (O&M)
Date of decision: 27.01.2025

SUNIL DEVI AND OTHERS

...Petitioner(s)

VERSUS

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Gaurav Mohunta, Advocate for the petitioners.

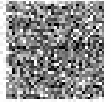
Mr. Surinder Kumar Dagar, DAG, Haryana.

Mr. Rahul Vats, Advocate for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing FIR No.174 dated 26.06.2018, registered under Sections 498-A, 304-B and 34 of the IPC at Police Station Sadar Narnaul, District Mahendergarh, Haryana and also impugned summoning order dated 10.09.2019 (Annexure P-2), vide which the petitioners have been summoned as additional accused under Section 319 Cr.P.C. to face the trial alongwith other co-accused, alongwith all consequential proceedings arising therefrom.

2. Learned counsel for the petitioners submitted that it is a case where petitioner No.1 is the sister-in-law (Jethani) of the deceased and residing separately and petitioner No.2 is her minor son, who was studying in Rajasthan at the time of occurrence. He further submitted that during the pendency of the present petition, all the petitioners and also the co-accused-husband faced the trial. He further submitted that so far as petitioners No.1 and 2 are concerned,



vide order dated 21.08.2024, qua them the final order was stayed, whereas it was clarified that there was no stay qua the other co-accused. He further submitted that now all the other co-accused i.e. mother-in-law, father-in-law and husband have since been acquitted by the learned trial Court and so far as petitioners No.1 and 2 are concerned, they were although summoned under Section 319 Cr.P.C. but the trial qua them commenced and their case is now at the final pronouncement stage but final judgment could not be passed because of the aforesaid order dated 21.08.2024. He also submitted that considering the acquittal of the other co-accused, the order of summoning may be set aside.

3. On the other hand, learned State counsel submitted that since petitioners No.1 and 2 have already faced the trial and the case is now at the final pronouncement stage, this Court may not pass any order pertaining to quashing of the summoning order because it is not a case where now petitioners No.1 and 2 are to face any agony of trial and therefore, the present petition may be dismissed.

4. After hearing the learned counsels for the parties and considering the stage of the trial qua petitioners No.1 and 2, which is now at the final pronouncement stage and the fact that the other co-accused have since been acquitted by the learned trial Court, this Court, at this stage, does not find any ground to interfere in the order of summoning (Annexure P-2).

5. Consequently, the present petition is dismissed.

(JASGURPREET SINGH PURI)
JUDGE

27.01.2025
Chetan Thakur

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No