

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-859-2026

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
02.04.2026	22.04.2026	FULL PRONOUNCED	23.04.2026

Pinki alias Pinki DeviPetitioner

Vs.

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner.

Mr. Shiva Khurmi, DAG, Haryana.

FIR No.	Date	Sections	Police Station
132	20.12.2020	148, 149, 323, 307, 325, 506 IPC 1860 (corresponding Sections are 191(3), 190, 115(2), 116(2), 109, 351(2) BNS 2023)	Bahin, District Palwal

1. Aggrieved by the dismissal of the application filed under Section 319 of the Code of Criminal Procedure, the complainant (present petitioner) has approached this Court by filing the present petition under Section 442 BNSS 2023.
2. I have heard counsel for the parties and to ascertain whether the matter is worth issuing notices or not.
3. The facts of the case relate back to FIR #132 (Annexure P-1), registered on the basis of the complaint filed by the petitioner.
4. The petitioner gave a written complaint to the SHO Police Station, Bahin, Palwal alleging that beatings were inflicted by sticks, dandas, iron rods and bricks and there was an attempt to kill her. She stated that on December 20, 2020, at 9:00 AM, when she was cleaning the drain, at that time, Shyambir, Manendra started abusing her without any reason and stated that she should not clean the drains. After that, they started abusing and fighting with her. Later on, they slapped her 3/4 times. The petitioner further informed that after that they called

Praveen, Naveen, Bheem, Bali @ Balkishan, Bhishma, Jagpravesh and other people and all these people inflicted beatings to Bhagat Singh and Virendra very badly. However, in the investigation, Parveen, Bhishma and Jagpravesh were not prosecuted.

5. Faced with this, the petitioner filed an application under Section 319 CrPC to arraign them as accused. By impugned order dated February 5th, 2026, Learned Additional Session Judge, Palwal dismissed the application. The reasons for dismissal are mentioned in paragraph #8 of the impugned order, in which it was mentioned that when the petitioner Pinki had appeared in the Court as PW1 that she had reiterated her allegations as were mentioned in her initial complaint P1. She stated that she had attributed specific injuries to Shambir and Jagat, but no specific injury was attributed to the proposed accused. Injured-Ravinder was examined as PW2 who also stated that accused persons along with the co-accused reached at the spot and started beating Pinki, Bhagat Singh and Virender. However, Pinki did not state about beatings being inflicted upon her, but beatings being given to Bhagat Singh and Virender. PW2 in his statement did not attribute any specific injury to proposed accused Parveen and Bhishma. He attributed one injury to proposed accused Jagpravesh that he had given lathi blow on his right hand. However, no doctor was examined to prove the injuries attributed to Virender. The next stand of the petitioner is that in the photographs, Praveen was seen standing with the lathi. Learned trial Court was of the opinion that simply because somebody has a lathi, does not mean that lathi was also used to cause injury. Learned Additional Sessions Judge further observed that in the photographs other proposed accused were not even seen standing. In this background, the trial Court refused to entertain such application and feeling aggrieved the petitioner has come up before this Court.

6. In paragraph #4 it has been alleged by the petitioner that she had given applications alleging beatings at the hands of the proposed accused/private respondents-Parveen, Bhisham and Jagpravesh. She stated that since she had given the complaints to the higher officers would show that they were responsible for causing injuries. In paragraph #7 she states that Parveen had participated in the assault because he was armed with the lathi. Accused Bhisham was a member of unlawful assembly and had also given injuries with the lathi and blows on the head of both Rohtash and Deepak. Accused Jagparvesh was also armed with a lathi and he had actively assaulted the victims. With this kind of evidence, the applicant wants those accused who were absolved by the police to be summoned at the stage.

7. The incident is of the year 2020 and after investigation, the private respondents who were proposed to be accused were not arraigned and later on application under section 319 CrPC has been rejected by a reasoned and detailed order. It is not a case that three people must be made to pass through the process of criminal trial, even when there is no evidence against them, and merely because the complainant wants to prosecute them by naming them. If this Court starts accepting such kind of applications, then anybody would be named and

arraigned as an accused, and criminal trials would become battlegrounds to settle other scores, which cannot be done. On the face of it, there is no illegality in the impugned order and the matter is not worth issuing notices. Consequently, the petition is dismissed. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

Apr 23, 2026
Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO