

State VS Jaswinder Kaur

Present:- Sh.Dilpreet Singh Addl PP for the State.
Accused on bail with counsel.

In this case an application is pending under section 319 of the Cr.P.C for summoning the additional accused on the basis of statement of PW1 who was examined in this court. It is averred in the application that Jarnail Singh complainant PW1 named out Palwinder Singh @ Pindi son of Jagraj Singh, who actively participated in the crime and it is prayed that Palwinder Singh @ Pindi be summoned as an additional accused.

I have perused the statement of PW1 in which he categorically stated that he received a telephone call from his tenants in which he told that Jaswinder Kaur accused alongwith other person including Palwinder Singh @ Pindi caused injuries to his tenants. Further it is stated that on the same day at about 4:00 P.M the same persons came again and snatched his bag. Meaning thereby there are two occurrences of the same date. In the first occurrence present PW1 was not eye witness and he did not see the occurrence. As far as the other occurrence is concerned in this regard no reliable evidence has come against any of the other persons from which the additional accused can be summoned. More so complaint named out so many persons but application has been moved against Only one person Palwinder Singh @ Pindi. It seems that the application has been moved just to array and person to face the trial. In these circumstances, I find no reliable

evidence from which the additional accused can be summoned. Accordingly application in hand is dismissed. Case is adjourned to 5.10.2015 prosecution evidence.

Manoj Kumar
CJM/21.8.2015