

Present: Complainant in person with APP for the State
Accused on bail with counsel Shri S.S.Grewal, Advocate

Heard on the application filed on behalf of the complainant under Section 319 of Cr.P.C for summoning Gurtej Singh son of Chanan Singh and Lakhwinder Singh son of Rajwinder Singh as additional accused.

2. It has been stated that aforesaid persons were also accompanying accused facing trial and they all caused injuries to the complainant. However police had not submitted challan against Gurtej Singh and Lakhwinder Singh inspite of statement given by complainant against them. Even while deposing in the Court as PW1, complainant has categorically named both these persons as his assailants.

3. This Court has considered the submissions made before this Court and have also gone through the case file properly and is of the opinion that complainant has categorically named both Gurtej Singh and Lakhwinder Singh as his assailants alongwith accused already facing trial. Even in his statement recorded by the police, he has levelled allegations against both of them and has stated that Gurtej Singh gave him stick blow on his left foot while Raninder Singh gave stick blow on his right leg. During investigation it came out that Raninder Singh is also unknown by the name of Lakhwinder Singh and both Gurtej Singh and Lakhwinder Singh were declared innocent by the police while presenting the challan. However perusal of challan shows that no reasons have been given while declaring them as innocent.

4. Even complainant Darshan Singh as PW1 has also deposed before the Court on oath and in his statement, he has again levelled the same allegations against Gurtej Singh and Lakhwinder Singh @ Raninder Singh. Therefore strong reasons are made out to allow this application and to summon Gurtej Singh and Lakhwinder Singh as additional accused in this case to stand trial because it appears that they also took active participation in the commission of offence against complainant. As such they are ordered to be summoned for 09.03.2015.

Pronounced in open Court:
12.01.2015

(Ravi Gulati)
Sub Divisional Judicial Magistrate
Budhlada