



CrPC S. 319 - Court has failed to record the degree of satisfaction which is required to summon an accused under section 319 - Degree of satisfaction is not one of prima facie case

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Criminal Procedure Code, 1973, Section 319 - While deciding the application under section 319 Cr.P.C. the trial court has failed to appreciate the entire facts, [evidence](#) and other material available on record - Court below has also failed to record the degree of satisfaction which is required to summon an accused under section 319 Cr.P.C. - Degree of satisfaction is not one of prima facie case - Consequently, trial court has failed to exercise its power in accordance with parameters laid down by the Apex Court in a catena of decisions - The impugned order is not sustainable in the eye of law and is liable to be set-aside. [\(2023-1\)209 PLRIJ 001 \(All.\)](#)

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