

*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Reserve: 18th November, 2010

Date of: 22nd November, 2010

+ Crl.Rev. Petition No. 723/2010

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22.11.2010

Rambir Singh & Ors.

... Petitioners

Through: Mr. S.D.Singh, Advocate

Versus

State of NCT of Delhi

... Respondent

Through: Mr. Sunil Sharma, APP for the State

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

JUDGMENT

By this revision petition, the petitioners have assailed an order dated 14th September, 2010 on charge passed by learned ASJ whereby the learned ASJ directed framing of charges for offence under Section 147, 148, 308 read with Section 149 IPC and Section 323 read with Section 149 IPC. It is submitted by the Counsel for the petitioner that no charge under Section 308 IPC was made out in view of the fact that the injuries received were only simple in nature. The learned trial Court had considered this aspect and come to the conclusion that in the present case after the close on the heels of the quarrel over improper handling of the car of the first informant, the accused persons collectively came armed with wooden sticks and *lathis* and attached the first informant and his other guests causing injuries on the persons of at least five individuals and under these circumstances the

possibility of pre-meditation cannot be ruled out. The trial Court relied upon Sunil Kumar v. NCT of Delhi 1999 1AD Apex Decision (Crl.) SC 217.

After considering the order of the trial Court and the manner in which the offence has taken place, I find no ground to interfere with the order of the trial Court. The revision petition is hereby dismissed.

November 22, 2010
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SHIV NARAYAN DHINGRA, J.