

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-18639 of 2015
Date of Decision: 02.06.2015

Dharambir Sharma

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

It has been recorded in the impugned order dated May 14, 2015 passed by the Judicial Magistrate First Class, Panipat that when Medical officers Dr. Anil Kumar and Dr. Arvind Kumar appeared before the court for recording of their statements were not sought for or obtained for purposes of comparison with specimen signature/initials. If the complainant was serious enough he could have adopted this method. Even then the trial court has protected the complainant that it would, if the need arises, consider this issue at the time of final disposal.

The application preferred by the complainant/petitioner before this Court to compel the two doctors to give their specimen signatures has not found favour with the trial court for what I might say was for good and sufficient reason.

Learned counsel submits that the case is now fixed for recording

of statement of accused under Section 313 Cr.P.C. after which the trial would be mature for final hearing.

It would be open to the petitioner to press his case at the final hearing which would be duly considered by the trial court.

Dr. Anil Kumar cannot be compelled to inculcate himself.

No ground is made out for interference at this stage.

Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

02.06.2015
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