

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.M-5331 of 2015

Date of Decision: February 19, 2015

Manish Kumar

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

It is contended that it is a case of version and cross version and that the sister of the petitioner was maltreated by one of the members of the opposite party.

A perusal of the FIR shows that the parties had gone to the office of Deputy Superintendent of Police, Gidderbaha (in short 'DSP') for negotiation. The present occurrence took place right outside the office of DSP. The main injury attributed to the present petitioner, is stated to be given with the knife on the face of one Govind Ram, who happens to be relative of the brother-in-law of the complainant.

A perusal of the copy of the MLR (Annexure P-7) shows that there were two injuries. One was incised wound on the face and other was broken tooth.

Keeping in view the fact that the petitioner dared to attack the opposite party right outside the office of DSP, coupled with the fact that the knife used in the crime is yet to be recovered, I do not find any ground to exercise the powers under Section 438 of the Code of Criminal Procedure, 1973.

Accordingly, the present petition is dismissed.

February 19, 2015
sarita

(KULDIP SINGH)
JUDGE