

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

223-A

CRR-1146 of 2013 (O&M)

Decided on : 05.05.2015

Satnam Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE R.P.NAGRATH

Present : Mr.B.S.Sra, Advocate

for the petitioner.

Mr.G.S.Sidhu, AAG, Punjab.

Mr.R.S.Athwal, Advocate for respondent No.2.

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

R.P.Nagrath, J. (Oral)

Prayer made in the instant revision petition is for setting aside the order dated 20.11.2012 (Annexure P/3) whereby learned trial court ordered framing of charge under Section 306, IPC instead of Section 304-B, IPC against respondent No.2.

I have heard learned counsel for the parties and perused the paper book.

The complainant in the FIR is the father of the deceased and other family members Harpreet Singh, brother of the deceased, Gian Singh, brother-in-law of the complainant, whose statements under Section 161 Cr.P.C. were recorded. In those statements, there is no whisper that the deceased was being treated with cruelty and

harassment. Therefore, ultimately, the charge was framed under 306 IPC, after presentation of challan under Section 306, IPC.

During the course of evidence, the statement of the complainant has been partly recorded in which allegations have been made that the deceased was being harassed on account of bringing less dowry. If that be the position, the complainant and/or the State may have the remedy to move an appropriate application before the trial court for alteration of the charge on the basis of evidence produced after framing of the charge, which the trial court would look into and may if it thinks appropriate examine some more family members before deciding the said prayer.

On moving such an application on or before the date already fixed i.e. 21.05.2015, the trial court is directed to dispose of the same in accordance with law.

Disposed of.

[R.P.NAGRATH]
JUDGE

05.05.2015
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