

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.02.24 11:25
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CRR No. 2322 of 2013 (O/M)
Date of decision : 19.2.2015

Parminder

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. S.L. Barwala, Advocate, for the petitioner.

Mr. Satish Saini, Deputy A.G., Haryana.

Mr. S.K. Garg Narwana, Senior Advocate, with,
Mr. Teevar Sharma Dumerkha, Advocate,
for respondent No. 2.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 1.7.2013, passed by the learned Additional Sessions Judge, Jind, vide which charges were framed against the present revisionist under Sections 323, 325, 109, 120-B read with Section 34 IPC and under Section 3(1)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act), 1989 (in short 'the Act') in case FIR No. 9 dated 15.1.2013, registered under the abovenoted sections at Police Station City Narwana, District Jind.

Learned counsel for the revisionist contends that the injured was attacked by two persons, namely, Darshan Singh and Bhupender Singh. The allegations against the present revisionist are that during the investigation, it came out that he had hired those persons for causing injuries to the complainant, who happens to be the member of scheduled caste community. The learned Additional Sessions Judge, Jind, has passed a detailed order, giving the reasoning for framing the charges. In this case, a hockey used in the crime, is also stated to have been recovered from the present revisionist. It is a question of fact in each case as to whether from facts, prima-facie case is made out for framing the charge or not.

Learned counsel for the revisionist has relied upon the authorities of the Hon'ble Supreme Court in Central Bureau of Investigation, Hyderabad Versus K. Narayana Rao, 2012 (4) RCR (Criminal) 601; Amit Kapoor Versus Ramesh Chander and another, 2012 (4) RCR (Criminal) 377; Sherish Hardenia and others Versus State of M.P. and another, 2014 (1) RCR (Criminal) 342; Noorul Huda Maqbool Ahmed Versus Ram Deo Tyagi and others, 2011 (3) RCR (Criminal) 550; Yogesh alias Sachin Jagdish Joshi Versus State of Maharashtra, (2008) 10 Supreme Court Cases 394; State of Maharashtra Versus Salman Salim Khan and another, 2004 (1) RCR (Criminal) 314; Lizy Kurian Versus State of Kerala, 2005 (1) RCR (Criminal) 12 and Ashish Chadha Versus Smt. Asha Kumari and another, 2012 (1) RCR (Criminal) 94.

In these circumstances, while exercising the revisional powers, I find no ground to interfere with the impugned order dated 1.7.2013, passed by the learned Additional Sessions Judge, Jind, framing the charges.

Accordingly, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

19.2.2015
sjks