

CRM-M-14376-2016 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-14376-2016 (O&M).
Decided on: April 28, 2016.**

Sukhdev Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.P.P.S.Duggal, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL).

Petitioner has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C. to challenge Rapat Annexure P4, dated 28.10.2015, recorded at Police Station, Mamdot, District Ferozepur, by virtue of which offence under Section 307 IPC has been added in FIR No.66 dated 28.5.2015, under Sections 447, 511, 323, 324, 148 & 149 IPC, Police Station, Mamdot, District Ferozepur, claiming that the offence under Section 307 IPC has been incorporated on the basis of bed head ticket of injured Hardev Singh after a gap of five months of the occurrence.

Counsel for the petitioner has relied upon the judgments of this Court in **Jasbir Singh Vs. State of Punjab, 2001 (2) RCR (Crl.) page 11 and Nand Singh Vs. State of Punjab, 2007 (1) RCR (Crl.) page 801**, in support of his contention wherein it has

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been observed that where the injuries are not described to be sufficient for causing death, accused cannot be charged for offence under Section 307 IPC.

I have considered the contention of the learned counsel for the petitioner and the circumstances in which the investigating agency has opted to add offence under Section 307 IPC. I am of the considered opinion that the interference in the process of investigation at a premature stage is required to be bare minimum unless and until there is any statutory lapses or glaring violation of statutory provisions indicating violation of Chapter XII of the Code of Criminal Procedure or the Punjab Police Rules.

The petition is disposed of as pre-mature, at this stage, without prejudice to the rights of the petitioner to raise all the pleas at the time of consideration of charges by the appropriate Court.

April 28, 2016.
rka

(M.M.S. BEDI)
JUDGE