

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

CRM No.M-34705 of 2016 (O&M)

Date of Decision: October 25, 2016

Sanjay Kalra and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harsh Nain, Advocate for
Mr.Jagjeet Beniwal, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. against State of Haryana and other respondents for quashing of the order dated 13.08.2013 passed by learned Judicial Magistrate Ist Class, Panipat, vide which the petitioners have been charge-sheeted and also challenging the judgment dated 26.05.2016 passed by learned Addl. Sessions Judge, Panipat, vide which the revision petition filed by the petitioner against the order dated 13.08.2013 was dismissed.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that learned JMIC, Panipat, framed the charge against present petitioners under Sections 323, 325 and 34 IPC vide order dated 13.08.2013. Then a revision was filed before learned Sessions

Court and learned Addl. Sessions Judge, Panipat vide judgment dated 26.05.2016, dismissed the revision.

Aggrieved from the above-said order and judgment, present petition has been filed.

From the record, I find that there is statement of complainant and the injured coupled with the medical evidence on the file. As per the judgment passed by learned Addl. Sessions Judge, Panipat, X-ray of Komal revealed that she sustained fracture of ulna left forearm whereas Geeta sustained fracture of right hand thumb.

Keeping in view the above facts, I find that prima facie case is made out while framing the charge. At the time of framing the charge, the Court is only to see whether prima facie case is made for framing the charge or not. The Court at this stage, is not to weigh the evidence for the purpose of conviction. From the statements of complainant, injured as well as from the medical report, prima facie case is made out. No illegality has been committed by learned JMIC, Panipat, while framing the charge vide order dated 13.08.2013 and by learned Addl. Sessions Judge, Panipat, while dismissing the revision petition vide judgment dated 26.05.2016.

Therefore, finding no merit in the present petition, the same is dismissed.

October 25, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No