

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

CRM-M-No.36870 of 2015(O&M)

Decided on:-16.05.2016.

SatyanderPetitioner

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

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?

Present:- Mr. S.S.Momi, Advocate for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

Mr.Satnarain Sharma, Advocate and
Mr. C.M. Sangwan, Advocate for respondent No.3.

HARI PAL VERMA, J. (ORAL)

Prayer made in the instant petition is for quashing the order dated 07.10.2015 (Annexure P-6), whereby the application for re-medical examination of the complainant by the Board of Director in Govt. Hospital Bhiwani, was declined.

Learned counsel for the petitioner contends that immediately after the submission of the Challan, the said prayer was made. He has referred to the observation made in the report dated 22.01.2015 of Forensic Science Laboratory, Haryana to the effect that the alleged spot was observed for the detection of any

related physical clue, however, no incriminating evidence related to the case could be found at the spot.

Heard.

Admittedly, the alleged date of occurrence is 20.01.2015 and the application for re-medical examination of the complainant was made on 01.07.2015. Thus, there is enough gap during the date of alleged occurrence and the date of submission of the application seeking re-medical examination of the complainant.

Since the offence under Section 307 IPC and Section 25 of the Arms Act have already been deleted and the FIR survives for offence under Sections 323, 325, 506, 148, 149 IPC, I find no illegality in the order passed by learned Judicial Magistrate Ist Class, Dadri, as recalling the complainant for re-medical examination at such a belated stage is impractical.

Dismissed.

However, expression made here-in-above shall not be construed as an expression on the merits of the case and the petitioner be at liberty to cross-examine the complainant in accordance with law.

May 16, 2016
Anjal

(HARI PAL VERMA)
JUDGE