

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

CRM No.M-7207 of 2016
Date of Decision: March 02, 2016

Balbir Singh and others **Petitioners**

VS.

State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vipin Mahajan, Advocate for the petitioners.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

Challenged in the present petition is the order dated 13.01.2016 (Annexure P-13) passed learned Addl. Sessions Judge (A), Gurdaspur, vide which order dated 09.02.2015 (Annexure P-8) passed by learned Judicial Magistrate 1st Class, Gurdaspur, refusing to amend the charge was reversed and charges under Sections 326 IPC were ordered to be framed.

A perusal of the MLR and the statement of PW5 shows that Medical Board declared injury no.3 grievous in nature.

Learned counsel for the petitioner has referred to the cross-examination of PW5 and pressed that the said injury is fabricated.

However, the said injury was appreciated by the learned Addl. Sessions Judge and it was found that by the Board of doctors injury No.3 was declared grievous in nature.

It being so, there is no illegality or infirmity in the impugned order. The mere fact that the case falls in the action plan or it is fixed for defence evidence or arguments, is no ground to decline the amendment of the charge as observed by the learned Judicial Magistrate 1st Class.

According, the present petition stands dismissed.

March 02, 2016
sarita

(KULDIP SINGH)
JUDGE