

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

**CRR-2376-2016 (O&M)
Date of decision : 08.07.2016**

Jaku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Gurinder Pal Singh, Advocate,
for the petitioner.

JITENDRA CHAUHAN, J. (ORAL)

The petitioner is aggrieved against framing of charge under Section 307 of the Indian Penal Code, vide order dated 02.05.2016, passed by learned Additional Sessions Judge, Rewari.

Learned counsel for the petitioner refers to the MLR, Annexure P-1, to contend that no case under Section 307 IPC is made out. He further states that registration number of the vehicle allegedly used in the crime is not reflected. The alleged incident took place on 04.08.2015, at about 11.00-11.30 am, whereas, the FIR came to be registered on 05.08.2015, thus, there is unexplained delay of one day. No other point is raised.

Heard.

From the perusal of the record, it is made out that election of Sarpanch was to take place. There was an altercation with the complainant and the family members of the petitioner. The injured-complainant had been going to the respectable members of the family for amicable settlement and when he was coming from the house on motorcycle, an effort was made to trample the petitioner. He was knocked down and another effort was made to mow him. The petitioner suffered fracture of leg. The answer to the question whether there was intention to eliminate the complainant will be the moot point before the trial Court. At this stage, this Court is not inclined to make any observation in the context.

In view of the above, no case for setting aside the impugned order of framing charge against the petitioner is made out.

Dismissed in limine.

However, nothing noticed hereinabove shall be construed to be an expression of opinion on the merits of the case.

08.07.2016

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(JITENDRA CHAUHAN)
JUDGE