

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

CRR No. 4462 of 2015

Date of decision-20.10.2016

Balbir Singh and another

...Petitioners

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioners.

Mr. Pawan Garg, AAG Haryana.

Mr. H.S. Randhawa, Advocate for

Mr. P.S. Ahluwalia, Advocate for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

This revision petition is directed against the order dated 11.12.2013 passed by Addl. Sessions Judge, Kaithal vide which the petitioners were charge-sheeted under Sections 323, 325, 504 & 506 read with Section 34 of the Indian Penal Code (for short 'the IPC').

There was no representation on behalf of the petitioner. It is averred in the petition that the instant complaint is a counterblast to the FIR registered by the petitioners against the complainant. In fact, the petitioners are the aggrieved persons and the complainant is an aggressor. The instant complaint is nothing but a result of fabrication.

By filing the present revision petition, the petitioner has

challenged the order vide which the charges were framed against them. At the time of framing of charge, only prima facie case is to be seen by the Court. The detailed discussion is to be avoided at this stage. The trial Court has rightly framed the charges under Sections 323, 325, 504 & 506 read with Section 34 IPC as the occurrence is admitted by the petitioners. The question whether the petitioners or the complainant was/were the aggressor(s) shall be decided by the trial Court after adjudication of evidence. The same cannot be decided in the instant petition at this stage. Moreover, there is an unexplained delay of 597 days in filing the instant revision petition.

Therefore, finding no merit in the present petitioner, the same is dismissed being time barred as well as on merits.

(JITENDRA CHAUHAN)
JUDGE

October 20, 2016

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	No