

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Crl. Revision No.4617 of 2015 (O&M)
Date of decision: March 04, 2016

Ramesh Kumar and another ...Petitioners

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Sihota, Senior Advocate with
Mr. B.R. Rana, Advocate for the petitioners.

Rajan Gupta, J.

This order shall dispose of two Criminal Revision petitions i.e. CRR-4617 of 2015 filed by Ramesh Kumar and Sunil and CRR-449 of 2016 filed by Ashok and others, against order dated 13.10.2015, passed by Additional Sessions Judge, Rohtak, whereby charges have been framed against them under sections 452, 323, 324, 326, 307, 506 read with Section 149 IPC.

Learned counsel for the petitioners has contended that petitioners have not committed any crime and they have not even been named in the FIR. He submits that no case for framing of charge under section 307 IPC is made out. Thus, the order framing charge is liable to be set-aside.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

While hearing the accused on the question of charge, the

court below observed that all accused were armed with deadly weapons, like *Farsa*, *Lathies*, *Dandas*, revolver etc., who inflicted several injuries to three persons and serious blows were given on the head of complainant and one Vivek. One of injuries caused is an incised wound on left side of skull. The doctor opined that the injuries could be dangerous to life if not treated in time. Another injury was caused by firearm. Finding sufficient material on record, the court below framed charges against the accused.

In view of nature of injuries caused, it cannot be said at this stage that there was no intention on the part of the accused to cause death. Learned counsel has not been able to show any legal infirmity with the order passed by the court below. It is settled law that at the time of framing of charge, in-depth analysis of evidence is not necessary. The pleas raised by the petitioners in the present petitions are essentially factual in nature which can be examined by the trial court after evidence is led before it. I, thus, do not find it a fit case for interference in revisional jurisdiction. Both the petitions are hereby dismissed.

CRM-3823-2016 in CRR-449-2016:

Since the main revision petition has been dismissed on merits, this application for condonation of delay does not survive and the same is also dismissed.

(RAJAN GUPTA)
JUDGE

March 04, 2016
'Rajpal'