

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.863 of 2015 (O&M)

Date of decision: 26.02.2016

Subhash

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Satbir Gill, Advocate for the petitioner
Ms.Supriya Arora, Asstt. A.G. Haryana
Mr.G.S.Sidhu, Advocate for respondent No.2 and 3

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)

CRM No.6506 of 2016

Application allowed as prayed for. Documents Annexure

P4 to P6 are taken on record.

CRR No.863 of 2015

Impugned in the present revision is the order dated 23.1.2015, passed by the learned Additional Sessions Judge, Sirsa, vide which, in an application filed by the Public Prosecutor under Section 319 Cr.P.C., only Saroj wife of Ram Kumar was summoned as additional accused, whereas Dhuru and Ram Kumar – respondent Nos.2 and 3 were not summoned.

I have heard learned counsel for the parties and have also

carefully gone through the file.

As per version given by the Subhash himself, Saroj gave a *danda* blow on his head and Ram Kumar gave iron rod blow on his finger. MLR of Subhash does not show the said injury with iron rod. It is further alleged that Dhiru and Anuj, who are armed with Danda and iron pipe respectively, gave blow on the head, chest and lower back side of Jonny. MLR of said Jonny shows that he received three injuries, out of which two are complaint of pain on the chest and backside. No external mark of injury was found. Therefore, these injuries were also not corroborated by medical evidence. However, third injury is the lacerated wound on right parietal region. The lower Court after taking into consideration the law laid down by Hon'ble Supreme Court in the case of Hardeep Singh v. State of Punjab and others, 2014(1) RCR (Criminal) 623 and in Babubhai Bhimabhai Bokhiria and another v. State of Gujarat and others 2014(2) RCR 915 has come to the conclusion that from the oral statement of the complainant and without any other connecting evidence, no sufficient grounds arises to proceed against the present respondents, namely, Dhiru and Ram Kumar.

After examining the medical evidence, I am of the view that the order passed by the learned trial Court is well reasoned and there is no scope of interference in the same.

The revision petition stands dismissed.

25.02.2016
gk

(Kuldip Singh)
Judge