

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

Crl. Revision No.521 of 2016 (O&M)
Date of decision: March 04, 2016

Karnail Singh and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. H.S. Bedi, Advocate for the petitioners.

Rajan Gupta, J.

The petitioners have impugned order dated 06.01.2016, passed by Additional Sessions Judge, Hoshiarpur, whereby charges have been framed against them under sections 324, 323, 148/149 IPC and Section 3 (x) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioners has contended that petitioners have not committed any crime and they have been charge-sheeted at the behest of accused in a cross-version registered on 15.6.2013 i.e. after five days of registration of FIR No.74 dated 10.06.2013. He submits that no offence under section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out, which was added later on vide Rapat No.23 dated 23.06.2013. Thus, the order framing charge is liable to be set-aside.

I have heard learned counsel for the petitioners and given

Careful thought to the facts of the case.

While hearing the accused on the question of charge, the court below observed that at the time of framing charge, the court is not to minutely scrutinize the entire evidence to find out as to if conviction can be recorded or not. Finding a prima facie case to put the accused on trial, the court below framed charges against the petitioners.

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 plea raised by the petitioners in the present petition is 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. The petition is hereby dismissed.

(RAJAN GUPTA)
JUDGE

March 04, 2016
'Rajpal'