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

CRM-M No.13174 of 2017
Date of Decision: 01.06.2017

SITARA

.....PETITIONER

Vs

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

On 20.04.2017, following order was passed by this

Court:-

“Learned counsel for the petitioner contends that the petitioner along with Mona is alleged to have inflicted brick blow injury on the right eye of father of the complainant i.e. Sharafat Ali. No injury was found on the right eye of Sharafat Ali, rather the injury found on the person of Sharafat Ali was a blunt injury on head, CT-Head showed right parietal extradural bleed-dangerous nature of injury.

Learned counsel further contends that any hurt which endangers life would fall in Section 320 IPC. Evidently in the definition of grievous hurt and the offence under Section 307 IPC can only be attracted if the injury is opined to be dangerous to life in ordinary course of nature. The injury opined by the doctor of private hospital does not qualify the ingredients of offence under Section 307 IPC.

Notice of motion for 01.06.2017.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 27.04.2017 and in the event of her arrest, she shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from HC Shamsheer Singh submitted that the petitioner is not helping in recovery of brick. However, she has joined the investigation.

In view of controversy involved, I deem it appropriate to confirm order dated 20.04.2017.

Ordered accordingly.

However, the petitioner shall keep on joining the investigation as and when called upon to do so and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

June 01, 2017

jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No