

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

CRM-M No.14276 of 2017
Date of decision: 26th April, 2017

Sunil Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Anshumaan Dalal, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Petitioner Sunil Kumar has preferred this petition under Section 482 Cr.P.C. seeking quashment of the FIR No.291 dated 18.05.2016 under Sections 323/325/34/506 IPC pertaining to Police Station Meham, District Rohtak (Annexure P1) so registered against him at the behest of private respondent No.2 Sandeep.

It is inter alia contended by learned counsel for the petitioner Mr. Anshumaan Dalal, Advocate that the petitioner too has received six injuries in this occurrence and remained admitted in PGIMS Rohtak for rib fractures and has placed reliance on MLR (Annexure P3) and thus the relief in question.

As is admitted by learned counsel for the petitioner, a case has been got registered against him for causing injuries to the complainant side in which occurrence as per his own claim he too has

received injuries, thus a case of version and cross-version and the Courts in exercise of powers under Section 482 Cr.P.C. are not supposed to evaluate the evidence. Reliance placed on '**M.Viswanathan v. M/s S.K. Tiles Potteries P. Ltd. & others**' 2008 AIR (SC) 761.

Thus, defence if any available to the petitioner can be taken conveniently at the time of trial. Finding prima facie no case to show indulgence, the present petition stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

April 26, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No