

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-19952 of 2017 (O&M)
Date of Decision: 31.05.2017

Baldev Singh

--Petitioner

Versus

State of Punjab and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rahul Dev Singh, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 482 Cr.P.C raising a prayer for issuance of directions to the S.S.P., Pathankot/respondent no.2 to get the investigation pertaining to FIR No.33/2017 under sections 324 I.P.C (sections 506, 109, 120-B I.P.C added later on) at Police Station, Shahpur Kandi, District Pathankot conducted from a senior official not below the rank of Dy.S.P. Further prayer is for enhancement/addition of offence under section 307 I.P.C.

Counsel would submit that the occurrence took place on 13.4.2017 at 11.15 P.M and in which the petitioner was the victim of an attack made by one Ashok Kumar @ Babloo and at the instance of one Rupesh Dadwal. As per complainant's/petitioner's version which led to the registration of the FIR, he was inflicted two *datar* blows on the left side of his head. Counsel submits that the version of the petitioner finds corroboration from the M.L.R which is placed on record and appended as Annexure P-3.

Argument raised is that the description of the injuries and the seat of injuries itself justifies the adding of offence under section 307 I.P.C

as such injuries have been inflicted with an intent to kill.

Having heard counsel for the petitioner at length and having perused the case paper book, this Court is of the considered view that the prayer made in the petition is premature.

Perusal of the M.L.R at Annexure P-3 would reveal that two injuries on the head of the petitioner have been noticed and both the injuries have been kept under observation. Doctors have advised X-rays.

The medical opinion as regards nature of injuries is yet awaited and would be founded on further X-rays etc.

It would after that stage that the occasion would arise for enhancement of offence, if any.

The prayer raised in the petition is declined, at this stage.

It is, however, clarified that this Court has not examined the case on merits.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

31.05.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No