

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No. 4065 of 2016 (O&M)

Date of decision: 15.02.2017

Renu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Kanhiya Soni, Advocate,
for the petitioner.

Ritu Bahri, J.

This petition has been filed against the order dated 21.09.2016 passed by the Additional Sessions Judge, Bhiwani, whereby application filed by the complainant under Section 319 Cr.P.C. to summon Jagdish and Saddam, as additional accused, has been dismissed.

While dismissing the application, trial Court has observed that the role attributed to Jagdish and Saddam is that both of them have caused injuries on the back of Rajesh. As per MLR, Rajesh had received bruises on his back and no laceration was found at the time of his medical examination. Moreover, no specific injury has been attributed to Jagdish and Saddam.

After going through the impugned order, this Court is of the view that the trial Court has rightly dismissed the application of complainant as the role attributed to Jagdish and Saddam was that they were carrying *danda* and *lathi* and these bruises on the back of Rajesh would not, *prima facie*, be said to have been caused by using *lathi* and *danda*. The doctor, who conducted medical examination of the injured, has not examined so far.

In the absence of any injury, which could have been caused by using *lathi*

and *danda*, the application has been rightly dismissed by the trial Court.

Accordingly, no ground is made out to interfere in the impugned order.

Dismissed.

15.02.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No