

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

CRR No.1178 of 2017

Date of Decision: 28.03.2017

Subash

-Petitioner

VS

State of Haryana and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

The FIR was registered at the instance of Subash on 19.06.2015 under Sections 323, 506, 34 IPC, P.S. Assandh in respect of occurrence which took place on 15.06.2015 at 5.30 p.m.

There was a verbal altercation between Joginder and the complainant party on account of lifting of sand from the fields. When the complainant was going towards his house on 15.06.2016, Joginder along with Bagri @ Ramesh, Sandeep and Mohit allegedly opened assault upon the complainant with bricks and stones. The wife of the complainant namely Sunita attracted to the spot and accused fled away after advancing threat to the complainant.

Perusal of the FIR does not show any specific part on

behalf of the persons sought to be arrayed as co-accused by way of proceedings under Section 319 Cr.P.C. Only two injuries were found on the person of the complainant. One of the injury was an abrasion on right plank and the second injury was complaint of pain on right side of chest, below right arm pit with no external mark of injury.

The application under Section 319 Cr.P.C. filed by the complainant has been dismissed by the trial Court against which the present revision petition has been filed. Even while appearing as PW1, the complainant has not specified any specific injury to Bagri @ Ramesh, Sandeep and Mohit except to allege that they were also found standing along with Joginder and were involved in brick batting.

In my considered view, prayer in terms of Section 319 Cr.P.C. cannot be granted in view of law laid down by the Hon'ble Apex Court in **Hardeep Singh vs State of Punjab and others, 2014(1) RCR (Criminal) 623.**

Dismissed.

28.03.2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No