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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49890-2018 (O&M)
Date of decision : 27.11.2018

Nitin @ Nikka

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajat Mor, Advocate for the petitioner.
Mr. Ramesh Kumar Ambavta, AAG, Haryana.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

Heard.

It comes out that petitioner along with his friend namely Bhim were present at Gajraj Hotel, Jakhoda District Jhajjar which is few kilometers away from Delhi and were drinking liquor at about 2.A.M. They started fighting with the complainant-party. After which the present petitioner and his friend picked up a bottle of alcohol lying on the table and hit Shashank Shokeen on his head and gave several blow on his left hand and his body. One of the injury was found to be grievous in nature.

I have gone through the MLR which shows that most of the injuries are on the face of the injured-Shashank Shokeen and on the backside of the neck of the injured. The nature of injury could prove fatal.

Considering the nature of injures, I am of the view that it is not a fit case where the discretionary powers under Section 438 of the Code of Criminal Procedure should be exercised.

Dismissed.

(KULDIP SINGH)
JUDGE

27.11.2018

preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No