

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3087-2019

DATE OF DECISION:-15.03.2019

GURVAIL SINGH

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Ashok Kumar Sama, Advocate
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for setting aside impugned order dated 22.11.2018 (P-4), vide which, ld. trial court has allowed the application of prosecution for summoning and examining of an additional witness Dr. Rajiv Joshi, Professor Head of the Department of Forensic Medicine GGH Medical College.

Learned counsel contends that the trial court has failed to appreciate that Dr. Rajiv Joshi, allowed to be summoned in the application of prosecution under Section 311 Cr.P.C., has neither treated the petitioner nor conducted his medico legal examination.

Having given thoughtful consideration to the submission made by learned counsel for the petitioner, this Court finds instant petition

completely devoid of any merit, inasmuch as, the prosecution sought

opinion from the Doctor of Post Graduate Institute of Medical Sciences, Faridkot, on the basis of medico legal report, x-ray report and operative note, about the injuries suffered by the petitioner, which is a very crucial evidence, so as to decide, as to whether the injuries suffered by the petitioner were self-inflicted or were caused by the complainant party.

Considering this aspect of the matter, this Court finds no illegality and infirmity in the impugned order.

Dismissed.

15.03.2019

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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No