

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10817-2017

Date of decision: 07.03.2019

Balkar Singh

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. SS Narula, Advocate for the petitioner.

Mr. Raj Kumar Makkar, Sr. DAG, Haryana.

Mr. Ashit Malik, Advocate for respondents No. 3 and 5.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for setting aside order of the trial Court dated 18.01.2017 (Annexure P-1), in Criminal Case No. 16338 of 2013 arising out of case FIR No. 395 dated 21.08.2011, under Section 148, 149, 323, 324, 325, 341 and 506 IPC at Police Station Nissing, District Karnal and to direct to the trial Court to commit the case to the Court of Sessions, as the evidence on record discloses *prima facie* commission of offence under Section 307 IPC.

Having heard the rival submissions, this Court is of the considered opinion that the impugned order Annexure P-1, at this stage, is not liable to be set aside. Therefore, the same is affirmed with the observation that in case, after recording the medical evidence, the trial

Court comes to the conclusion that injury suffered by petitioner-Balkar Singh, fulfills the ingredients of Section 307 IPC, it may reconsider the matter and pass a order afresh, in accordance with law.

Disposed of, accordingly.

March 07, 2019

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No