

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

CRM-M No.52732 of 2019
DATE OF DECISION : 11th DECEMBER, 2019

Rajan

.... Petitioner

Versus

State of Haryana & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Diwan Singh Adlakha, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for quashing of order dated 01.07.2019, passed by the Judicial Magistrate First Class Jagadhri at Yamuna Nagar in FIR No.334 dated 19.06.2018, registered under Sections 148, 149, 323, 365 & 506 IPC at Police Station City Yamuna Nagar, vide which an application filed by the petitioner/complainant under Section 323 Cr.P.C. for committing the trial before the District and Sessions Judge, Jagadhri, was dismissed.

The trial court has dismissed the application filed by the petitioner under Section 323 Cr.P.C. by observing that the alleged abduction of the petitioner was not for any one of the purpose mentioned in Section 367 IPC. Hence, the court was not of the opinion that this case was required to be committed to the court of Sessions for trial.

Having perused the file, this court also finds that even the allegation of the petitioner are that after having caused grievous injury to him, the accused had taken the petitioner in a vehicle. Thereafter, he was

given only feast blows and still thereafter he was left in Shivalik Hospital, Jagadhri.

The above said allegation, by any means, cannot be taken as bringing the case within the scope of Section 367 IPC. Hence, this court does not find any illegality, irregularity or impropriety with the order passed by the court below.

Finding no merit in the present petition, the same is dismissed.

11th DECEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>