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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 883/2018**

SANDEEP KUMAR Petitioner

Through: Mr. Haneef Mohd., Advocate

Versus

STATE Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor for respondent-
State

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

09.04.2019

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Petitioner's counsel assails the impugned order of 21st July, 2018 vide which charge under Section 307 IPC has been framed against petitioner, on the ground that the injury sustained is of simple nature and a solitary blow only was given to the injured.

On the other hand, learned Additional Public Prosecutor for respondent-State supports the impugned order and submits that the stab wound was of 2 cm depth.

Supreme Court in its decision of 4th February, 2019 in Crl. Appeal No. 1589/2018, titled as *State of M.P. vs. Kanha @ Omprakash* has reiterated that proof of grievous or life-threatening hurt is not a *sine qua non* for the offence under Section 307 of the Penal Code.

Upon hearing and on perusal of impugned order, I find that it is not a case where petitioner had given a solitary blow and the injury inflicted *prima facie* reveals that offence under Section 307 IPC is made out.

This petition is accordingly dismissed while not commenting on merits of the case.

(SUNIL GAUR)
JUDGE

APRIL 09, 2019

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