

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

101

(PROCEEDINGS THROUGH V.C.)

CRM-20930-2020 & CRR-1104-2020

DATE OF DECISION: AUGUST 26, 2020

Vikram Singh

.....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Sharad Choudhary, Advocate,
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, impugning the charge dated 03.03.2020 framed against him alongwith his co-accused.

It is the contention of learned counsel for the petitioner that the charge, which has been framed against the petitioner, is not a speaking one as the details as to how the offence against him has been made out, has not culled out in the order. Assertion has also been made that as per the medico-legal report, injury has been found on the right forearm of the complainant-injured whereas in the FIR and the statement under Section 161 Cr.P.C., the injury, which is attributed to the petitioner, is on the left elbow. He, thus,

contends that the charge, which has been framed against the petitioner is

without application of mind and, thus, cannot sustain. Assertion has further been made that the petitioner has been roped in with malafide intention because of the fact that father of the petitioner was Sarpanch of the Village and there is party faction in the village. Prayer has, thus, been made that the charge, as framed against the petitioner, cannot sustain and deserves to be set-aside.

Having considered the submissions made by counsel for the petitioner, this Court does not find any ground to interfere with the order dated 03.03.2020 passed by learned Additional Sessions Judge, Charkhi Dadri. The said charge sheet gives enough details to specify as to how the involvement of the petitioner is made out in the commission of offence. In any case, detailed reasons are not required to be assigned in the charge when framed. It is only to cull out as to how the involvement of the accused is made out that the skeleton facts are required to be mentioned. The mandate of the statute stands fulfilled in the impugned order.

As regards the contention of counsel for the petitioner that the allegation against the petitioner is that he has caused injury on the left elbow whereas the injury, as per the MLR, is on the right forearm, suffice it to say that it is a question of evidence, which is to be led before the trial Court. The FIR, which is registered, is not a gospel truth and only an information, which is provided to the investigating agency and, therefore, this discrepancy cannot be said to effect the charge, which has been framed against the petitioner, especially when the provisions of offence under Section 506 read with Section 34 IPC has been framed against the petitioner.

So far as assertion with regard to false implication of the

petitioner due to to party faction in the village, his father being Sarpanch is concerned, the same is again a question of evidence to be led by the parties and, thus, cannot be a ground for setting aside the charge, which has been framed against the accused-petitioner.

The present petition, being devoid of merit, therefore, stands dismissed.

**August 26, 2020
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No