

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

-.-

CRM-M-29004-2020 (O&M)

Date of decision : 27.11.2020.

Rakesh and others

.....Petitioners

Vs.

U.T. Chandigarh and Others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Nitin Meel, Advocate, for the petitioners.

Mr. Gautam Dutt, Advocate, for APP, U.T.Chandigarh.

ALKA SARIN, J. (ORAL)

Taken up through video conferencing.

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for issuance of directions to respondent Nos.2 and 3 to conduct a fair and impartial investigation in the case bearing FIR No.0117 dated 05.08.2020 registered under Sections 147, 148, 149, 323, 341, 506 of the Indian Penal Code, 1860 at Police Station Maloya, District Chandigarh.

A status report has been filed by way of affidavit of Inspector Charanji Lal, SHO, Police Station Maloya, Chandigarh wherein it has been stated that the FIR was registered against 06 persons and out of them 05 persons were arrested on 06.08.2020 and since all the offences were bailable, all the 05 accused were released on bail by the Investigating Officer. It has further been stated in the report as under:-

“iv. That in the fight initiated at the behest of the accused, three persons from the complainant side received injuries, namely the husband of the complainant Rakesh, brother-in-law of the complainant Vicky and one Sunder. That the injured persons were taken to GMSH, Sector 16, Chandigarh. MLRs

*dated 05.08.2020 pertaining to all there injured was taken from the hospital. That as per the MLRs, Rakesh received two injuries, Vicky received 4 injuries, and Sunder received 4 injuries. Copies of the MLRs of Rakesh, Vicky and Sundar are being annexed herewith as **Annexure R-1, Annexure R-2 and Annexure R-3** respectively. That from a perusal of the MLR it is evident that the Doctor gave his opinion on some injuries, while the opinion was reserved qua the other injuries.*

v. That thereafter, on 10.08.2020, the Doctor's opinion which was reserved with regard to some of the injuries, was received, which is as follows:

*a. With regard to injuries sustained by Rakesh who had suffered two injuries, both injuries were declared **Simple**.*

*b. With regard to injuries sustained by Vicky who had suffered four Injuries: **Injuries 1 and 2 declared Simple; Injuries 3 and 4 declared Grievous**.*

*c. With regard to injuries sustained by Sundar who had suffered four Injuries: **Injuries 1 and 2 declared Grievous; Injuries 3 and 4 declared Simple'***

Thereafter on the basis of the report, Section 325 IPC was added. The investigation, as per the learned counsel for U.T. Chandigarh is complete and challan is to be presented shortly.

In view of the above, no further orders need to be passed.

Disposed off accordingly.

November 27, 2020

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NOTE:

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No

(ALKA SARIN)

JUDGE