

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-51808-2021 (O&M)  
Date of Decision:- 11.2.2022

Gamdoor Singh @ Lila and another ... Petitioners

Versus

State of Haryana ... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Rakesh Nagpal, Advocate, for the petitioners.

*(Proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J. (Oral)**

The petitioners have approached this Court assailing order dated 12.4.2021 passed by learned Sub Divisional Judicial Magistrate, Ratia, which has been upheld by the Court of learned Additional Sessions Judge, Fatehabad, vide order dated 10.8.2021, in Criminal Revision petition.

A few facts necessary to notice for disposal of this petition are that FIR No.194, dated 13.8.2020, Police Station Sadar Ratia, District Fatehabad, under Sections 323, 325, 341, 342, 34 IPC was lodged at the instance of Simarjit Singh wherein he alleged that on 11.8.2020 there was a quarrel between him and Satnam Singh on account of playing of deck on

tractor. However, some members of the family and some of his relatives also arrived at the spot, on account of which Satnam Singh and others fled away from the spot. However, in the evening, on the same day at about 6.30. pm, when the complainant was going towards his fields on cycle, Satnam Singh, Gobind Singh, Gamdoor Singh (petitioner No.1) and Bhupinder Singh (petitioner No.2) stopped him and started beating him. It is alleged that Gobind Singh inflicted a blow on the right hand of the complainant with a 'kappa'. Satnam Singh is stated to have given a blow with iron rod on the left hand and Bhinder Singh is stated to have given a blow with stick on his right foot, below ankle.

The MLR in respect of the injuries sustained by the complainant shows that he had sustained three injuries, all caused with blunt edged weapons.

While, two of the accused namely Govind and Satnam Singh, were arrested and a challan was submitted against them, the petitioners had not been arrested and it was subsequently upon their arrest that a supplementary challan came to be filed against them.

Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that even if the contents of the FIR are taken to be correct, Gamdoor Singh in any case is not stated to have inflicted any injury and that only 3 injuries were found on the person of the injured.

I have considered the aforesaid submission and have also perused the documents annexed with this petition as well as the impugned orders.

The petitioners are specifically named in the FIR and were accompanying the other accused. All the accused are alleged to have given beatings to the complainant. It is no doubt correct that the MLR depicts only 3 injuries, but during the course of investigation, the petitioners who are stated to have surrendered on 19.3.2021 are stated to have suffered disclosure statements admitting their involvement and infact Bhupinder Singh @ Bhinder i.e. petitioner No.2 is also stated to have got recovered a stick, used for beating the complainant. The relevant extract from the report under Section 173 Cr.P.C. as has been reproduced in the petition, reads as follows:

“.....

The accused Gamdoor Singh son of Hardev Singh alias Lilla & Bhupinder Singh alias Bhinda son of Gamdoor Singh residents of Dhanni Babanpur have surrendered in the Hon'ble Court on 19.03.2021 and taking the permission from the Hon'ble Court, joining them in the investigation, on the availability of the evidences of the case file, they were arrested in this case as per rules. That the accused persons got recorded their disclosure statement about the commission of incident and with regard to demarcation of the spot and the accused Bhupender @ Bhinder has got recorded his disclosure statement to got recovered the Danda of wood used in the incident from his house, on this the police remand of two hours was taken from the Hon'nble Court, during remand both the accused have demarcated the place of occurrence and accused Bhupender Singh has got recovered the

Danda used in the incident from his house which was taken into possession by the Police after preparing the seizure memo of property.....”

In view of the aforestated position where the petitioners are named in the FIR and even during the course of investigation their involvement has been found to be there, this Court does not find any infirmity either in order dated 12.4.2021 passed by learned Sub Divisional Judicial Magistrate, Ratia, or in order dated 10.8.2021 passed by learned Additional Sessions Judge, Fatehabad, in the criminal revision petition, and both are hereby upheld.

There is no merit in the instant petition and the same is hereby dismissed.

11.2.2022  
mohan

(GURVINDER SINGH GILL)  
JUDGE

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|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |