

In virtual Court

CRM-M-44256-2019

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

CRM-M-44256-2019 (O&M)

Date of decision: 07.03.2022

Bant Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of direction to respondents No.3 & 4 to add offence under Sections 307 & 326 IPC in FIR No.0053 dated 23.05.2016 under Sections 452, 323, 341, 506, 148, 149, registered at Police Station Amargarh, District Sangrur and submit the challan.

Learned counsel for the petitioner submits that though the injuries were suffered by the petitioner on head, however, the police has not sought opinion of the doctor in this regard.

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Learned State counsel submits that challan has already been presented on 07.03.2020 and the petitioner has a remedy to move an appropriate application before the trial Court for referring the victim to Medical Board to opine about the nature of injuries sustained by him. It is further submitted that even at the stage of framing of charge, the petitioner can raise the arguments whether the offence under Sections 307 & 326 IPC is made out or not.

After hearing learned counsel for the parties and considering the fact that challan has already been presented, it will be open for the petitioner to move an appropriate application before the trial Court for redressal of his grievance, if any.

Disposed of, accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

07.03.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No