

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

CRM-13892-2024 in/and
CRR-626-2024 (O&M)
Date of Decision:- 01.04.2024

Ranjit ... Petitioner

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manoj Kaushik, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
514	11.8.2019	Camp Palwal, District Palwal	147, 148, 323, 324, 506 IPC (Sections 307, 354, 452 IPC and Section 25 of Arms Act deleted lateron)

GURVINDER SINGH GILL, J. (Oral)

CRM-13892-2024

There is a delay of 23 days in filing this revision petition.

Notice of the application be issued to non-applicant/respondent.

On the asking of this Court, Mr. Ramender Singh Chauhan, AAG, Haryana., accepts notice on behalf of the respondent-State. Copy of application supplied.

In view of the reasons mentioned in the application, the same is allowed and delay of 23 days in filing the revision petition is condoned.

Main case

1. The petitioner assails order dated 28.11.2023 passed by learned Additional Sessions Judge, Palwal (Annexure P-1), vide which an application under Section 216 Cr.P.C. submitted by the petitioner/complainant seeking addition of charges so as to frame charges for offences punishable under Sections 307, 354-A, 452 of IPC and Section 25 of Arms Act, has been dismissed.
2. It is not in dispute that it is a case of cross-versions wherein two persons from the side of the complainant namely Sandeep and Rahul had sustained one injury each on their leg. While the case of the complainant is that the said injuries were in fact caused by fire-arm, as is also suggestive from the MLRs (Annexure P-7), whereas the trial Court has held that the same are not fire-arm injuries mainly on the premises that the injured at the time of their medical examination did not disclose so to the Doctor.
3. Learned counsel in this regard has drawn the attention of this Court to the aforesaid MLRs (Annexure P-7) wherein while describing the injuries it has specifically been mentioned that there was blackening around the wounds. It has thus been submitted that the injuries

apparently having been caused with fire-arm, Section 307 of IPC would be attracted.

- 4. This Court has considered the rival submissions.
- 5. Even if for the sake of arguments it is accepted that the injuries in question were caused with a fire-arm, still the fact remains that it is a case of single injury sustained by the two injured from the complainant side and that too on non-vital part i.e. on their leg. There is nothing on record to show that any effort was made to cause more injuries. Under these circumstances, it is indeed difficult to hold that the injuries in question had been inflicted with an intention to cause death. This Court does not find any infirmity in the impugned order (Annexure P-1) and the same is hereby upheld.
- 6. Finding no merit in the instant petition and the same is hereby dismissed.

01.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No