



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.246

CRM-M-53214-2023

Date of decision : 12.09.2024

DAMANJOT SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Bhupinder Kaur, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

By way of this petition filed under Section 482 Cr.P.C., petitioner prays for conducting fair investigation in case FIR No.107 dated 23.07.2023 under Sections 323, 341, 506 and 34 IPC (Section 308 IPC added later on and again deleted and Section 325 IPC added), registered at Police Station Sadar Dhuri, District Sangrur.

2. Learned State counsel refers to Para 6(viii), 6(ix) and 6 (x) of status report dated 15.01.2024, which reads as under:

“(viii) That thereafter a Medical Board was constituted by the SMO, Civil Hospital Sangrur, vide Letter no Handi/MB/23/7672 dated 20.09.2023 consisting of mo (Ortho), MO (Surgeon) and MO (ENT), which gave opinion dated 26.09.2023, which is reproduced here in below for the kind perusal of this Hon'ble Court.

“...As patient Damanjot Singh S/s Mandeep Singh Foo Bhalwan not appeared in front of board of Doctors on 21.09.2023 & today on 26.09.2023 After going through the record of treatment of Damanjot Singh of Civil Hospital, Dhuri/Civil Hospital angrur/Rajandra Hospital Patiala and



DMC Ludhiana, it is found that patient was remained stable throughout the hospital stays, treated conservatively, no blood transfusion was done, no surgical intervention was done for MLR Injury no 2 mentioned in MLR No. 2 KP/2023 dated 19.06.2023

As per record and CT Scan report there was mild to moderate Hemoperitoneum with Splenic injury grade 2 & 3 (as per various CT Scan Reports attached in record) regarding injury No. 2. So injury no. 2 is Grievous in nature in the opinion of Board of Doctors..

A copy of the Letter No. Handi/Mer23/7672 dated 2008.2023 of SMO, Civil Hospital Sangrur is annexed herewith as Annexure A-1.

(ix) That it is pertinent to mention here that the petitioner was called by the Board of Doctor to appear in regard to the application, but the petitioner did not aj var before the board of Doctors on 21.09.2023 and on 26.09.2023 Thus, opinion was given by the Board of Doctors after granting him two opportunities to appear

(x) That the above-said opinion was conveyed by the Civil Surgeon, Sangrur vide Letter No. Steno/C/3/2041(A) dated 27.09.2023 to the Station House Officer, Police Station SadarDhuri for taking requisite action, whereby it was stated that:

“....The report ofthe Medical Board, received vide Letter no Medi Bo/23/7814 dated 26.09.2023 alongwith the photocopy of the application of the applicant is being sent to you alongwith this letter for information and for taking requisite further action.

A copy of the Letter of the Civil Surgeon Sangrur dated 27.09.2023 is attached as Annexure R-2/T.”

3. Learned State counsel on instructions from ASI Krishan Singh submits that challan has been presented and charges have been framed on 07.06.2024 and trial is pending for examination of prosecution witnesses.



4. In view of the above status report, nothing survives in the present petition and the same is disposed of accordingly.

(KIRTI SINGH)
JUDGE

12.09.2024

Kavita

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No