

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

CRM-M-62480-2023 (O&M)
Date of Decision:-11.3.2024

Mohammad Ilyas ... Petitioner
Versus
State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.B. Raheja, Advocate for the petitioner.
Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

CRM-9627-2024

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 26.7.2024 and is taken on board today.

CRM-M-62480-2023 (Main Case)

1. The instant petition has been filed on behalf of the petitioner seeking issuance of a direction to the official respondents to proceed effectively in the present case and for directing respondent No.4 to 6 to furnish the exact opinion regarding the nature of the injury as demanded by respondents No.2 and 3 and also to protect the life and liberty of the petitioner as he apprehends threat to the same at the hands of respondents No.7 to 10.

2. Learned counsel for the petitioner submitted that the accused had inflicted injuries including an injury on the left eye of the petitioner/complainant and in respect of which the petitioner was referred to Postgraduate Institute of Medical Education and Research, Chandigarh (PGIMER). Learned counsel for the petitioner submitted that although respondent No.3 - Station House Officer (SHO), Police Station City – II, Malerkotla, District Malerkotla vide his letter dated 14.9.2023 had written to the PGI Authorities seeking definite information as regards the condition of eye of the petitioner/complainant, but no opinion has been furnished till date.
3. Learned counsel for the petitioner submitted that as a matter of fact the injury in question would qualify to be termed as “grievous”, but in the absence of a definite opinion, the police is unable to present a challan.
4. Having heard learned counsel for the petitioner, but without commenting anything as regards merits of the case or as regards veracity of averments made in the petition, the instant petition is disposed of with a direction to respondent No.3 - Station House Officer (SHO), Police Station City – II, Malerkotla, District Malerkotla to ensure that the requisite medical opinion as regards the injuries of the petitioner/complainant is duly obtained from the medical authorities before presentation of final report.
5. In case, for any reason, it is not possible to seek opinion from PGI, Chandigarh, then requisite opinion be obtained from some Senior Doctors/Board of the local Civil Hospital.

11.3.2024

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No