



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

CRM-M-46227-2025 (O&M)

Date of decision: 06.11.2025

Khalid

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Afjal Hussain, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

SANJAY VASHISTH, J.(Oral)

1. Instant petition has been filed by the petitioner under Section 482 of the Cr.P.C. for seeking quashing of impugned order dated 03.11.2022 passed by learned Judicial Magistrate First Class, Ferozepur Jhirka (P-4) in CIS No.CHI/271/202 titled as “State of Haryana Vs. Shokat etc.” in FIR No. 184 dated 02.09.2021 under Sections 506, 452, 341, 323, 148, 149 of the IPC, registered at Police Station Nagina, District Nuh and the same having been confirmed by Revisional Court vide its order dated 29.05.2025 (P-6) whereby it has been found that no offence under Section 307 of the IPC is made out against the accused.

2. Primarily, learned counsel for the petitioner contends that despite no injury having been declared as dangerous to life, his intention is to be satisfied if Section 307 IPC can be added.

3. This Court has gone through the detailed order dated 29.05.2025 (P-6) passed by the Revisional Court. Paragraph No. 5 of the order passed by the Revisional Court wherein relevant evidence was looked into and then by assigning sound reasoning has concluded that there is no merit in the contention



of the complainant and, therefore, no directions can be required to be given to the trial Court to start the proceedings under Section 307 of the IPC. For ready reference, paragraph No. 5 of the order passed by the Revisional Court reads as under:-

“5. Admittedly, injuries on the person of the victims are not dangerous to life, Learned counsel for the revisionist argued at length on the point of intention of the accused at the time of causing accident. The court has gone through the entire challan including opinion of learned Assistant District Attorney as well as videos and photographs contained in pen drive attached with the challan. Firstly, opinion of learned Assistant District Attorney in the matter in hand is based on certain photographs only, without any concrete basis of his opinion and in the end of the opinion Assistant District Attorney left it to the Investigating Officer to take section 307 of IPC keeping to mind the facts and circumstances of the case Meaning thereby, even learned Assistant District Attorney was not sure if section 307 of IPC, was made out or not in the case, merely on the basis of the photographs. The court has also gone through the photographs as well as the Contents of the pen drive. These photographs and videos in the pen drive do not capture happening of the occurrence/accident but are of nearby time period. Not only this, Court has also taken into account motor mechanic reports and report of scene of crime team, with regard to damage caused to the vehicles. In the motor mechanic reports, damage on the vehicles is not of such nature, so as to show that the impact was such that it would have likely caused death of the bike riders. Even in the report dated 07.01.2022 of scene of crime team, no relation between the bike and the car could be established, after examination of the car. No skid marks, graze marks or tyre marks were found on the road surface, which was 17.5 feet wide and having 3 feet & 3.5 feet wide kacha path beside it, by the scene of crime team. In addition to this, extensive investigation was conducted and scene of crime team gave directions to the Investigating



Officer in this regard. Even then, the entire evidence that has come up during investigation is not enough to prima facie show that the accused persons intended to cause death of the victims. Consequently, there is no illegality in the impugned order passed by the trial court. As such, no ground is made out to give any direction to the learned trial court so as to invoke 307 of IPC in the case in hand.”

4. I completely agree with the contention made by the Revisional Court.
5. Additionally, it is observed that uptill final decision of the case, at any time, it is upon the trial Court to alter or add any charge in view of the enabling provisions under Sections 216 of the Cr.P.C.
6. In view of the above, present petition is disposed of.

06.11.2025
Harish Kumar

(SANJAY VASHISTH)
JUDGE

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