

Jai Kumar and Others Vs State of Haryana

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: March 2, 2007

Acts Referred: Criminal Procedure Code, 1973 (CrPC) â€” Section 311, 482
Penal Code, 1860 (IPC) â€” Section 148, 149, 323, 427, 504

Hon'ble Judges: Satish Kumar Mittal, J

Bench: Single Bench

Advocate: V.B. Aggarwal, for the Appellant;

Final Decision: Dismissed

Judgement

Satish Kumar Mittal, J.

The Petitioners, who are the accused in case FIR No. 5 dated 17.1.2001 under Sections

148/149/323/506/504/427 IPC, registered at Police Station Buria, District Yamuna Nagar, have filed this petition u/s 482 of the Code of Criminal

Procedure for quashing the order dated 12.1.2007, passed by the trial court, whereby on the application filed by the complainant u/s 311 Cr.P.C.,

the prosecution has been permitted to examine Doctor as well as the Investigating Officer.

2. I have heard counsel for the Petitioners and gone through the impugned order.

3. In the aforesaid impugned order dated 12.1.2007, it has been observed by the trial court that examination of the Doctor and the Investigating

Officer is necessary for the just and proper decision of the case. I do not find any ground to interfere in the impugned order, which has been

passed by the trial court u/s 311 Cr.P.C., while coming to the conclusion that examination of the witnesses is necessary for the just and proper

decision of the case. The contention of counsel for the Petitioner that while allowing the application u/s 311 Cr.P.C., the trial court has reviewed its

order, is not acceptable.

4. Dismissed.