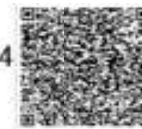




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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR-821-2022

Date of Decision: 20.02.2026

Uploaded on: 20.02.2026

RAMESH SINGH

... Petitioner

Versus

STATE OF PUNJAB & ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Deepak Gupta, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J.

The present revision petition has been preferred against the order dated 23.12.2021 passed by the Addl. Sessions Judge, Fazilka in case FIR No.43 dated 26.06.2021 registered under Sections 307, 323, 434, 447, 506, 34 IPC at Police Station Amir Khas, District Fazilka whereby the Court has framed charges against the accused under Section 307 IPC.

2. The brief facts of the case are that an FIR No.43 dated 26.06.2021 under Sections 307, 323, 434, 447, 506, 34 IPC Police Station Amir Khas, District Fazilka came to be registered at the instance of Dalip Singh S/o Sher Singh and the same reads as under:-



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“Statement of Dalip Singh son of Sher Singh, resident of Village Rukna Kasam Ke, aged about 60 years. Mobile No. 98146-20303. Stated that I am resident of the above mentioned address and doing the agricultural work. We are four brothers and one sister. All are married. Eldest is myself, younger to me is Mohan Singh, younger to him is Daulat Singh and youngest of all is Falak Singh. We all the four brothers were doing the agriculture jointly and my father had purchased joint land measuring 10 kanals. After some time, upon separation of we all the four brothers, my father along with the other land had distributed this land measuring 10 kanals to we all the four brothers i.e. 2-1/2 kanals and the joint boundary (watt) of this land adjoins with the land of my younger brother Mohan Singh. I being old aged and my children being minor at that time, my brother Mohan Singh had forcibly occupied the land measuring 2-1/2 kanals land of my share by cultivating the same and even till now he had been sowing crop over this land. In order to take my possession, I had got conducted demarcation from the revenue department, upon which the revenue department by conducting demarcation, had installed the spikes at the spot. On account of death of my brother Mohan Singh two months ago, now my nephews namely Ramesh Singh, Darshan Singh sons of Mohan Singh Singh have been cultivating over at this land. the On 19.06.2021, my nephew Ramesh Singh uprooted the points installed on demarcation conducted by the revenue department. On 20.06.2021, it would be at about 8/9 AM, as when I and my son Meharban Singh saw after coming to the field that the points of demarcations have since been uprooted and my nephew Ramesh Singh with his tractor had been cultivating the land of demarcation and my nephew Darshan Singh son Mohan Singh, resident of Rukna Kasam Ke and Chhinder Singh son of Gurbakhsh Singh, resident of Chhanga Rai Uttar were sitting nearby at the motor. I on seeing my nephew Ramesh Singh cultivating the land with the tractor signaled to stop, then Ramesh Singh after stopping the tractor, got down and I enquired from Ramesh Singh that as to why the points of demarcation have been

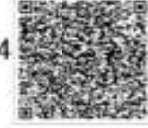


uprooted, then who further said whatsoever you may do, I have not to leave this land, then in the meanwhile Chhinder Singh raised lalkara from distance that today Dalip Singh be taught a lesson for demanding land and while running along with Darshan Singh came before me and just instantly after coming, nephew Darshan Singh gave a blow with his stick which hit on my right knee and I fell down on the ground, my nephew Ramesh Singh boarded on the tractor standing in started condition and Darshan Singh, Chhinder Singh also boarded and Chhinder Singh said that today by running over the tractor on Dalip Singh, today we may get rid of him, then in the meanwhile my above mentioned nephew Ramesh Singh run over the tractor on me with the intention to commit my murder, but I became in the middle of the tractor, but even then my left leg came under the tractor, then I raised the raula of marta marta, then my son Meharban Singh, who due to their fear had gone aside, upon hearing noise my son and my wife Mohinder Kaur and the labour which had been working in our house, came at the spot while running, then the above mentioned accused on seeing them coming, fled away on the tractor along with their weapons and while going, my nephew Ramesh Singh said to me that elder paternal uncle, today you have been saved, if you again apprehended, then we shall teach a lesson to you and your family. The motive behind the grudge is that the share of land of my father falling in my favour was also given lesser and even despite getting conducted demarcation of my 2-1/2 kanals of land, my nephews were not relinquishing the possession, due to which both my above mentioned nephews and Chhinder Singh by running over the tractor on me with the intention to commit my murder have inflicted injuries to me. Subsequently, my son Meharban Singh by making arrangement of a conveyance got me admitted at Civil Hospital, Jalalabad, where I am under treatment. At the time of occurrence, no person of the opposite party sustained any injury. My son Meharban Singh has eye witnessed this entire occurrence. Till today, our talk regarding compromise in panchayati manner has been kept going on, which did not mature.



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The statement has been got recorded to you, heard, the same is correct. Applicant. Action may be taken. LTI Dalip Singh above. Statement verified by Sd/- in Punjab Meharban Singh son of Dalip Singh, resident of Rukna Kasam Ke. Attested by Sukhdev Singh ASI, Police Station Amir Khas. Dated 26.06.2021.”

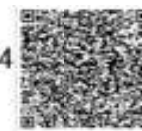
3. On the conclusion of the investigation, the report under Section 173(2) Cr.P.C. was presented before the concerned Court under Sections 307, 323, 434, 447, 506, 34 IPC.

4. Charges came to be framed under Section 307 IPC and 506 IPC vide order dated 23.12.2021 (Annexure P-2).

5. It is the said order which is under challenge in the present petition.

6. The learned counsel for the petitioner contends that the MLR of injured/ complainant does not support oral version in the FIR. Though, the allegations are of the injured being run over by a tractor, there is no tyre mark on the body of the complainant or any crush injuries. As per the report all the injuries are simple in nature. In the absence of any crush injuries the prosecution case becomes highly doubtful so far as the commission of the offence under Section 307 IPC is concerned and therefore, the impugned order dated 23.12.2021 (Annexure P-2) be set aside to the extent that the charges had been framed under Section 307 IPC.

7. On the other hand, the learned State counsel along with the learned counsel for respondent No.2-complainant contend that a reading of the FIR would reveal that the accused persons intended to cause the death of

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the injured and therefore, even though the injuries caused are simple in nature charges have rightly been framed under Section 307 IPC as well. They, therefore, pray that the present petition is liable to be dismissed.

8. I have heard the learned counsel for the parties.

9. The injuries suffered by respondent No.2-Dalip Singh are as under:-

Sr. No.	Injuries	Marked	Injury Number
1.	PATIENT COMPLAINT OF PAIN AT LEFT KNEE JOINT NOT A/W ANY EXTERNAL INJURY, TENDERNESS PRESENT. ADVICE X RAY.	Yes	1
2.	MULTIPLE ABRASIONS OF RED COLOR PRESENT ON RIGHT LEG LONGEST ONE MEASURING 8 CM PRESENT ON LOWER HALF	Yes	2

10. A perusal of the FIR would reveal that the complainant has stated that with an intention to commit his murder his nephew Ramesh Singh (petitioner) ran the tractor over his left leg. The allegation of intending to kill and running over the left leg of respondent No.2-Dalip Singh (injured) is belied completely by the MLR. A perusal of the injuries reproduced above, would show that while the first injury is a complaint of pain without any external injury whatsoever, the second injury which are multiple abrasions on the right leg cannot be caused, if a tractor runs over the leg of an individual. In such a scenario where a vehicle as heavy as tractor runs over the leg of an individual, there would be crushed injuries which is lacking in the instant case. Therefore, this allegation of the accused intending to kill respondent



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No.2-Dalip Singh and running over his leg with a tractor is completely baseless. Therefore, charges could not have been framed under Section 307 IPC.

11. In view of the aforementioned discussion, I find considerable merits in the present petition. Therefore, the impugned order dated 23.12.2021 (Annexure P-2) passed by the Addl. Sessions Judge, Fazilka to the extent that charges have been framed under Section 307 IPC stands quashed.

12. The Sessions Judge, Fazilka is directed to assign the case for hearing to the appropriate Court in accordance with law.

(JASJIT SINGH BEDI)
JUDGE

20.02.2026

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No