

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13890 of 2015

Date of decision : April 30, 2015

Gurdev Singh Bhuller

... Petitioner

vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mohinder Kumar, Advocate
for the petitioner.

Mr. Yogesh Gupta, AAG, Punjab.

Surinder Gupta, J

This petition has been filed by Gurdev Singh Bhuller for entrusting the investigation of the case bearing FIR No.99 dated 28.3.2015 registered at Police Station Civil Lines, Amritsar City, Punjab for offence punishable under Sections 306/511 IPC, on account of suicide committed by Jaswinder Singh alias Jassi, to Central Bureau of Investigation.

Learned counsel for the petitioner submits that the deceased Jaswinder Singh alias Jassi was a witness in a CBI case bearing FIR No.RC 1 (S)/2003 dated 2.6.2003 registered under Section 120-B, read with Sections 384, 506 and Sections 384, 506 IPC at Police Station CBI/SIU/V/New Delhi, which is pending trial in the court of Special Judicial Magistrate, CBI, Punjab, Patiala.

On 28.3.2015, a seminar of Telecom Disputes Settlement and Appellate Authority and the cable operators was held at hotel Holiday Inn, in Amritsar, which was presided over by Hon'ble Judges of Supreme Court, this Court, Chairperson and members of TDSAT. During tea break, Jaswinder Singh alias Jassi pleaded his grievance before the Chairperson of TDSAT and the other Judges present there and then consumed some poisonous substance in their presence. SI Nishan Singh reached the spot and recorded statement of the petitioner. Jaswinder Singh alias Jassi was taken to the hospital where he died after three days. FIR in question was registered at Police Station Civil Lines on the complaint by SI Nishan

Singh, on the basis of suicide note left by Jaswinder Singh alias Jassi. A Special Investigating Team (for short, 'SIT') headed by Additional Deputy Commissioner of Police Sh. Harjit Singh Brar was constituted to investigate the case. Statements of the witnesses, who are supporters of the accused, are being recorded. The accused are very influential persons having criminal background. One of the main accused is facing trial in City Cable Sex Scandal case before the CBI Court, Patiala, in which the deceased was also one of the witness. Learned counsel for petitioner further submits that the police is not conducting a fair, honest and impartial investigation, as such, investigation be handed over to CBI-respondent No.5.

The petitioner has disclosed his status as a witness of the occurrence. As per petitioner, his statement as witness of occurrence has been recorded by SI Nishan Singh. Learned counsel for the petitioner has candidly admitted that the petitioner is not related to the deceased in any manner, who has left behind his family.

So far as the grievance of the petitioner is concerned, his statement as witness of occurrence has already been recorded by SI Nishan Singh. As per his averments in para no.2 of the petition, investigation of the case is being conducted by SIT headed by Additional Deputy Commissioner of Police. Family members of deceased have not raised any grievance against the investigation conducted by SIT.

Keeping in view the above facts and circumstances, petitioner lacks any locus standi to file this petition and to raise the plea that the investigation being conducted by SIT is not fair, honest and impartial. No reason is made out for entrustment of the investigation to C.B.I. or any other investigating agency at this stage.

This petition has no merits, as such, dismissed.

However, the petitioner may approach the SIT and furnish any information, evidence or material available with him, which on production shall be considered by the investigating agency.

(Surinder Gupta)
Judge

April 30, 2015
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