

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

Crl. Misc. No. M-26339 of 2014 (O&M)

Date of decision : 25.02.2015.

Baldeep SinghPetitioner
versus

State of Punjab and others ...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Param Preet Singh Brar, Advocate
for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab

RITU BAHRI , J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure is for issuance of direction to respondents to carry out investigation/re-investigation of the matter regarding murder of petitioner's son, as per procedure prescribed under Section 173(8) Cr.P.C.

On notice, a reply has been filed by DSP, City-2, Patiala stating therein that on 08.10.2012, MHC P.S Tirpari Patiala received a phone call from PGI Chandigarh that Gurpiar Singh had died due to road accident. MHC further informed on telephone regarding death of Gurpiar Singh to Incharge Police Post Phagan Majra, who deputed H.C Pawan Kumar to take police action, who proceeded for PGI Chandigarh where petitioner met him and got recorded his statement to the effect that he is resident of village Reeth Kheri P.S Sadar Patiala and working as a labourer. He has four children, three

daughter and one son. His son Gurpiar Singh was working as labourer along with Swaranjit Singh and on 05.10.2012, his son went for his work on his motorcycle to Patiala. In the evening, he was returning from Patiala, then he met with an accident, due to losing of his control over his motorcycle and hit to the electric pole standing on the road. The petitioner received a phone call regarding the accident of his son. On reaching the spot, 108 Ambulance reached at the spot and took the son of the petitioner to Rajindra Hospital Patiala from where he was referred to PGI, Chandigarh. On 07.10.2012, his son died while he was under treatment. No one is responsible for his death. Statement of the petitioner was reduced into writing and DDR No. 20 dated 08.10.2012 was registered in this regard (P-5). Thus, the police initiated proceeding under Section 174 Cr.P.C. A representation was given by the petitioner to IGP Zonal-I, Punjab Patiala to investigate properly the murder case of son of the petitioner, which was further marked to DSP City-2 by SSP Patiala to conduct enquiry on the representation filed by the petitioner and DSP City Patiala thereafter conducted a fact finding enquiry and recorded the statement of the petitioner, who stated that his son had been killed by one boy named as Jassi. The motive behind this murder is that his son Gurpiar Singh has love affair with daughter of Nirmal Singh who is his neighbour. About one year ago Nirmal Singh made a complaint against his son in Police Post Faggan Majra but the Sarpanch of the Village got compromised the matter in the village and thereafter, his son never went with the daughter of Nirmal Singh. Jassi that time also supported Nirmal

Singh. Statement of the petitioner was supported by his wife Balbir Kaur and his son Harbhajan Singh. DSP City-2 further concluded that from the spot enquiry and statement of witnesses, the son of the petitioner died in road accident. As per statement of one eye witness Kuldeep Singh son of Sucha Singh who that time was present at Bus Stand Barn and was recharging his mobile phone, heard the noise of strike of motor cycle in the electric police, he immediately came at the spot and keeping in view the circumstances, he locate the registration certificate of motor cycle and inform the petitioner on phone and also paid Rs.1500 to the petitioner as humanity and also arranged ambulance for his son. Kuldeep Singh also handed over the mobile phone of petitioner's son to him. During enquiry, no eye witness has been produced by t5he petitioner and all the allegations levelled by him were found to be false and hence the complaint filed by the petitioner was recommended to consign to record room.

In view of the detailed reply filed in the present petition, no further orders are required be passed as the matter was thoroughly inquired into by the police.

The petition stands disposed of.

25.02.2015

G.Arora

(RITU BAHRI)
JUDGE