

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

CRM-M No.30980 of 2015

Date of Decision:-11.09.2015

Naresh Kumar.

.....Petitioner.

Versus

State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Pardeep Singh Poonia, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

The brother of the deceased Suresh @ Mauli, who is alleged to have been murdered on 19.03.2009 as revealed from the disclosure statement of the accused while being investigated and interrogated in another case lodged in the year 2015. Upon such revelation of the crime FIR No.160 dated 19.05.2015 for the commission of offence under Sections 302, 201, 202, 364, 120-B & 34 of Indian Penal Code has been lodged with Police Station Sadar, Jind.

It is submitted by the petitioner that at the time of disappearance of the said brother Suresh @ Mauli in the year 2009 a missing report was filed and subsequently his decomposed body was recovered by Police of Hisar on 27.03.2009. The said body being unclaimed was cremated while the set of teeth were preserved during post mortem examination for the purpose of identification of the body.

The grievance of the petitioner is that the investigating agency has filed a challan, however, no steps have been taken for the DNA profiling for the purpose of identification of the body of the deceased, which would prove fatal to the prosecution case during the trial. Therefore, the prayer is for issuance of directions for handing over the investigations to some Senior Officer or any other agency.

After hearing learned Counsel for the petitioner, keeping in view the stage of the proceedings no case for handing over the investigation to any Authority is made out. However, it is deemed appropriate to direct the Superintendent of Police Jind to look into the representation dated 10.08.2015 (**P-4**) and to take appropriate action, as required by law to obviate the impression of any faulty or incomplete investigation.

Ordered accordingly with aforesaid directions.

(JASWANT SINGH)
JUDGE

September 11, 2015
Vinay