

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

**Criminal Misc. No. M-42859 of 2014(O&M)
Date of Decision: 24.4.2015**

Bimla Devi

....Petitioner.

Vs.

State of Haryana and others

....Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Randeep Singh, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner, by way of instant petition under Section 482 Cr.P.C., seeks direction to the official respondents No. 1 to 3 to conduct a fair and impartial investigation in DDR No. 21 (A) dated 1.7.2014 registered at Police Station Butana, District Karnal, by lodging the FIR against respondents No.4 to 10.

From the reply filed by way of affidavit dated 6.2.2015 of Mukesh Kumar, Deputy Superintendent of Police, Indri, District Karnal on behalf on respondents No.1 to 3, it is not made out as to who recorded the statement Annexure R-1 and on what date, time and place.

Learned counsel for the State, on instructions from ASI Satpal Singh, Police Station Indri, submits that date was there in the

police file and the said statement was recorded by ASI Harbhajan Singh. However, even the vernacular which is the photocopy and supposed to be true copy from the police file, does not bear any date, time and place, nor it bears the name of the officer who recorded the said statement. Thus, it show that the police authorities proceeded on a casual approach while enquiring into the cause of death of a human being. They were expected to enquire into the matter more seriously and purposefully.

On the other hand, learned counsel for the petitioner submits that even the statement of the complainant was not recorded by the respondent-police authorities at the time of conducting the alleged enquiry into the matter.

Having heard the learned counsel for the parties, after careful of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that the matter needs to be re-looked by the police authorities. An effective and purposeful enquiry is required to be conducted in the matter. It is so said, because it is the question of a human life and the matter needs to be enquired into more vigorously and meticulously.

Keeping in view the peculiar facts and circumstances of the case noted above, the Superintendent of Police, Karnal, is directed to look into the matter, constitute a Special Investigating Team headed by an officer not below the rank of Deputy Superintendent of Police, within a period of three weeks from today, so as to conduct an effective enquiry. He shall also monitor the

progress of the enquiry personally and shall ensure that an early as well as effective enquiry is conducted and in any case within a period of three months from the date of the constitution of SIT. Thereafter, on submission of the enquiry report by the SIT, respondent No.2 shall take further appropriate action, as required in the obtaining circumstances of the case.

With the abovesaid observations made and directions issued, present petition stands disposed of.

Let a copy of this order, under the signatures of the Special Secretary, attached to this Bench, be given dasti to learned counsel for the State, for onward transmission to concerned authority, for compliance thereof.

(RAMESHWAR SINGH MALIK)
JUDGE

24.4.2015
AK Sharma