

CWP No.21530 of 2015

[1]

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

**CWP No.21530 of 2015
Date of decision:08.10.2015**

Rassi and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Rakesh Gupta, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

The petitioners are the widow and children of one Arif S/o Ramzan, caste Meo, resident of village Wazidpur, Police Station Nagina, District Mewat, who was in custody from 30.04.2012 in case FIR No.128 dated 30.04.2012, under Sections 395, 397 IPC and Arms Act, registered at Police Station Sohna, District Gurgaon and was undergoing sentence since 18.04.2013. He was assigned the job of Langar, Phase-I, in the prison, but on 02.04.2014, at about 7.30 p.m., after the completion of work of Langar, he went for a bath and suffered an electric shock from the water tap, as a result thereof, he fell down on the floor and was rushed to the Jail Hospital and then to the Civil Hospital, Gurgaon, but he died as the doctor declared him to be brought dead.

The petitioners have prayed for compensation on account of the death of Arif on the ground that he has been killed by the employees of the

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Jail Authorities, Gurgaon.

After hearing learned counsel for the petitioners and examining the available record, I am of the considered opinion that it is a question of fact as to whether Arif died a natural death or was allegedly done to death by the Jail employees, as alleged by the petitioners. In such circumstances, the petitioners shall have to take up their remedy of civil suit where they have to prove all the material circumstances leading to the death of Arif, to claim compensation.

In view thereof, this petition is hereby dismissed on this ground alone.

October 08, 2015
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(Rakesh Kumar Jain)
Judge