

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M 5399 of 2012 (O&M)
Date of decision: 25.02.2016

Baljinder Singh

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Satish Jain, Advocate for the petitioner
Mr.A.P.S.Gill, AAG Punjab

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

This petition is filed under Section 482 Cr.P.C. for conducting high level inquiry either by CBI or from independent agency regarding the un-natural death of son of the petitioner, namely, Rajwinder Singh, aged 24 years, who was confined in District Jail, Bathinda for the offence punishable under Sections 302 read with Section 34 IPC.

In this case, inquiry was got conducted from learned Chief Judicial Magistrate, Bathinda and the same is received. The learned Chief Judicial Magistrate, Bathinda, after recording the statement of the under trials, doctors and the Superintendent of Jail, has reported that the deceased had complained of pain in the abdomen and also had swollen eyes. He was first taken to the Civil Hospital, Bathinda. From there he was referred to Guru Gobind Singh Medical College,

Faridkot. As his condition deteriorated, he was sent to Dayanand

Medical College, Ludhiana. There it was found that the prisoner is suffering from Leukamod reaction, septicemia, renal failure, respiratory failure, blood in gut and fungal infection in urine. The blood transfusion was done at Dayanand Medical College, Ludhiana. As the prisoner could not recover, he was taken to PGI, Chandigarh on 28.9.2011, where he died on 29.9.2011.

As per the record of the PGI, Chandigarh, cause of death of prisoner Rajinder Singh @ Raja is acute severe sepsis, acute renal failure, acute respiratory failure and lower gastrointestinal bleeding. Record of the DMC, Ludhiana PGI, Chandigarh as well as report of the doctor shows that when medical problem arose, the Jail authorities tried to provide best treatment to the prisoner. He was first taken to the Civil Hospital, Bathinda, then to Guru Gobind Singh Medical College, Faridkot and thereafter to Dayanand Medical College, Ludhiana and ultimately to PGI, Chandigarh. There is no negligence on the part of the State in providing treatment to the prisoner. When the prisoner is in custody, the treatment is to be provided at State expenses. Inquiry has already been got conducted from the learned Chief Judicial Magistrate, Bathinda, who has reported that it was natural death. If for any reason, the department has taken some departmental action against any official, it is no ground to order inquiry by the CBI or grant any compensation to the petitioner.

Consequently, the present petition stands dismissed.

25.02.2016

gk

GOPAL KRISHAN
2016.02.27 12:41
I attest to the accuracy and
authenticity of this document
High Court Chandigarh

(Kuldip Singh)
Judge