

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 43778 of 2013(O&M)
Date of Decision :08.07.2016

David Masih

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.S.S.Momi, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.AG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition under Section 482 Cr.P.C. for issuance of a direction to respondents No. 1 and 2 to hand over the investigation of the case bearing FIR No.122 dated 23.06.2013, under Section 302/34 IPC, registered at Police Station Sadar Amritsar to some independent agency i.e. Crime Branch or the same be got investigated by some senior official not below the rank of Inspector General of Police.

Learned counsel for the petitioner has argued that wife of the present petitioner died during her treatment as she was alleged to have been set ablaze by respondents No. 6 and 7 by sprinkling kerosene on her and no action was taken against them. Learned counsel has further argued that he

has moved a representation (Annexure P-12) to the respondent No.2(though inadvertently it has been addressed to Director General of Police, Haryana whereas in the memo of parties respondent No.2 has been mentioned as Director General of Police, Chandigarh) that the investigation be got conducted by some independent agency but to no effect. He states that at this stage the petitioner would be satisfied if a direction is issued to respondents No.1 and 2 to consider his representation within any reasonable time.

I find this to be a fair request.

In the circumstances this petition is disposed of with a direction to respondent No.3, Commissioner of Police, Amritsar City to consider the representation (Annexure P-12) of the petitioner and take whatever action he deems necessary thereon within a period of one month from the date of receipt of a certified copy of this order.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

July 08 , 2015
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