

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

CRM-M-5934-2016 (O&M)
Date of decision : 28.09.2016

Gurmail Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. NPS Mann, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted HC Madan Singh.

JITENDRA CHAUHAN, J. (Oral)

Prayer made in the instant petition is, inter alia, for issuance of direction to the respondent Nos.3 and 4, for carrying out proper investigation in FIR No.176 dated 29.07.2015, registered under Sections 279 and 304-A of the Indian Penal Code, at Police Station Machhiwara, Police Distt. Khanna, Distt. Ludhiana.

It is contended that there were many injuries and sharp cut marks on the face and neck of deceased Jora Singh. The petitioner raised suspicion at that time that it does not appear to be a case of accident as there were no injuries on elbows and knees or any other part of the body which would have hit the ground in case of accident. It is further contended that there are discrepancies in the MLR and it clearly appears to be a case of murder since a blood-stained stick was found lying on the spot, which was not taken into possession by the police. A case of murder has been given

ATUL SETHI
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authenticity of this document
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the colour of an accident.

On the other hand, learned State counsel opposes the prayer made by the petitioner and contends that it has been found after thorough investigation and report of the doctor that death of Jora Singh was caused due to injuries suffered in the accident. From the photographs of the deceased Jora Singh, which were handed over by the complainant to the Police, it appears that injuries suffered by the deceased were caused in an accident. These injuries cannot be said to have been caused by a stick or weapon.

Heard.

During the course of investigation, photographs and MLR of the deceased were handed over to the police by the petitioner. The deceased had suffered injuries on various parts of his body. Statement of the petitioner was recorded on the same day. Only on the ground that a stick lying nearby was not taken into possession has been cited as a reason for suspecting the role of the Investigating Officer.

Learned counsel for the petitioner has failed to refer to any fact or circumstance which has not been properly investigated and inquired into by the Investigating Officer. The investigating agency has rightly come to the conclusion that there is no truth in the allegations levelled by the petitioner regarding killing of deceased Jora Singh.

Dismissed.

28.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No