

Sr. No.114

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4310 of 2017 (O&M)

Date of Decision: 09.02.2017

Ganga Dei

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Parminder Singh, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Pleadings on record would indicate that FIR No.269 dated 11.08.2016, under Sections 279, 304-A IPC was registered at Police Station Madhuban, District Karnal in relation to the death of Bhagwan Singh on the basis that he had succumbed to his injuries suffered in a road accident.

The instant petition has been preferred under Section 482 Cr.P.C. by the widow and who alleges that it is a case of murder and not that of road accident.

Counsel for the petitioner has adverted to a report dated 13.10.2016 at Annexure P-4 which was submitted by the Deputy Superintendent of Police, Headquarter, Karnal and addressed to the Superintendent of Police, Karnal. It is the assertion of the counsel that on a complaint having been filed by the widow/present petitioner, specific recommendations had been made by the DSP as regards the conduct of investigation in the matter and in the following terms:-

1. Regarding MLR No.301/2016 dated 10.08.2016, PMR No.21401 dated 11.08.2016 of deceased Bhagwan Singh,

- opinion of the doctor be obtained that these injuries have been suffered in a road accident or not.*
- 2. The respondents be joined into investigation.*
 - 3. Complainant Sh. Ram Kumar and respondent Shyam Sunder son of Manori, Timan Singh son of Hari Chand and Mukesh son of Ram Bharose, resident of Chhoti Amoli, Tehsil Vair, District Bharatput Rajasthan be joined into investigation and be investigated that as to there may not be any old dispute between them. In this regard, the investigation from the accompanied workers be conducted and be placed on the file.*
 - 4. The Mechanical examination of Motorcycle No. HR 05Z-7879 be got conducted, and it may be investigated that the marks which are on the motorcycle, the same are caused in the accident or not.*
 - 5. The clothes worn on the body of Deceased Bhagwan Singh be examined that after the accident, the marks of scratches of dragging on the road are present or not.*
 - 6. The investigation from the persons present at Toll Plaza Bastara be conducted and by joining them into investigation, it may be investigated that firstly who had took the deceased Bhagwan Singh to hospital.*
 - 7. Investigation be conducting by taking the help of cyber cell.*
 - 8. On finding necessity, the polygraph test of the respondents be got conducted.*
 - 9. The articles received during the personal search of deceased Bhagwan Singh, be returned to his family.*

Prayer raised in the present petition is for issuance of directions to the Investigating Officer to proceed further in the light of the recommendations reproduced hereinabove.

Without going into the merits of the case, I deem it appropriate to dispose of the present petition with a direction to Superintendent of

13.10.2016 (Annexure P-4) and to thereafter take steps as he may deem fit and in accordance with law.

Disposed of.

09.02.2017
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No