

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

CRM-M-4351-2017 (O&M)

Date of Decision: 02.11.2017

RAM KUMAR

... Petitioner

VS.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Dr. Parveen Hans, Advocate,
for the petitioner.

Mr. R.K. Makkad, DAG, Haryana.

Mr. Sumeet Sangwan, Advocate,
for respondents No. 6 and 8.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest?*

KULDIP SINGH, J. (ORAL)

This petition has been filed under Section 482 of the Cr. P.C. for directing the official respondents to register an FIR against respondents No. 6 to 8 regarding murder of Vinod Kumar, only son of the petitioner.

It is stated in the petition that on 08.03.2015 at about 8 P.M. Vinod Kumar, son of the petitioner, went to the fields to watch over the stray animals destroying the crops. However, he did not come back. Next morning, the petitioner and his family members found some empty wine bottles lying in their fields and marks of vehicle were also there. They doubted that Vinod Kumar has been kidnapped from the fields by some persons. Therefore, they have lodged an FIR No. 136 dated 09.03.2015 under Section 346 of the Indian Penal Code at Police Station Sadar, Charkhi Dadri. Later on, dead body of Vinod Kumar was found lying near Loharu Canal. Petitioner has

stated that Vinod Kumar has been murdered by respondents No. 6 to 8; Sanjay, Ramesh @ Papla, Dharmpal for which FIR should be registered against them.

The respondents in the reply have stated that while FIR No. 136 dated 09.03.2015 under Section 346 of Indian Penal Code was registered at Police Station Sadar Dadri. It was claimed that the dead body of Vinod Kumar was found lying in the fields of Village Mehda, near Canal and the dead body having burnt wounds. The dead body was found at a place which was located between three electricity transformers. Postmortem was got conducted from the medical board and the heart of the deceased was sent to PGIMS, Rohtak for analysis. The medical board from PGIMS, Rohtak has opined that cause of death in this case is syncope as a result of ventricular fibrillation due to electrocution. All the injuries were found anti-mortem in nature. Therefore, Vinod Kumar died due to electrocution. It was further alleged that in the process of steeling the transformer oil, Vinod Kumar got electrocuted and died. Therefore, it is not the case of murder.

I have heard the learned counsel for both the parties and have carefully gone through the case file.

The perusal of the stand taken by the medical board of PGIMS, Rohtak shows that except the marks of electrocution, no other injury was found. As there is no other injury on the person of deceased-Vinod Kumar, I am of the considered opinion that he died due to electrocution only.

Therefore, at this stage there is nothing on file to show that respondents No. 6 to 8 have committed the murder as claimed by the petitioner. However, if the petitioner has some grievance against them, he is

always at liberty to file a criminal complaint before the concerned Illaqa Magistrate, if he so desire.

With the above noted observations, the petition is dismissed.

November 2, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

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