

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

(212)

CWP-12867-2013

Decided on: February 21, 2017.

Court on its own motion

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. B.S. Patwalia, Advocate, Amicus Curiae.

Ms. Anu Pal, AAG, Punjab.

M.M.S. BEDI, J (ORAL)

I have heard learned Amicus Curiae as well as the State counsel and gone through the record.

Respondent No.3, Superintendent, Central Jail, Ferozepur has attributed mala fides to the complainants Gurnaib Singh and Karamjit Singh alleging that they have deposed against the authorities on account of the fact that they are habitual offenders and vindictive on account of recovery of mobile phones from them.

Since the cognizance has been taken by this Court suo moto pursuant to the complaint of Gurnaib Singh and Karamjit Singh on the basis of the material which has come on the record in the shape of statements and report, it is apparently clear that Joginder Singh had died in custody and his death was not a natural death. It will not be feasible for this Court to enter into the niceties of trial to determine the reasons for Joginder Singh having died in custody by committing suicide but it is sufficient to observe here that it is a case where Joginder Singh has lost his life in custody.

Following the judgment in **D.K. Basu Vs. State of West Bengal, 1997**
(1) RCR (Criminal) 372, I dispose of this petition by granting compensation of Rs.3 lacs to be paid by the State of Punjab, within a period of two months, to the heirs of Joginder Singh, without prejudice to the right of the heirs to claim compensation in accordance with law by availing any remedy available to them. The statements, documents and reports which have come on the record can be used by the heirs of Joginder Singh to claim compensation. The amount of Rs. 3 lacs paid to the heirs of the deceased would be adjustable against any other claim determined by any Court/forum in accordance with law.

(M.M.S. BEDI)
JUDGE

February 21, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No