

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 296 of 2018

Shakuntala Tiwari W/o Satya Narayan Tiwari, Aged About 48 Years
R/o Village Khapari, Tahsil Pamgarh, District Janjgir Champa
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. Superintendent Of Police, District Janjgir Champa Chhattisgarh.
3. Station House Officer, Police Station Akaltara, District Janjgir Champa Chhattisgarh.
4. Pawan Kumar Tiwari, S/o B.L. Tiwari, R/o Village Khatola, P.S. Akaltara, District Janjgir Champa Chhattisgarh

---- Respondents

For petitioner - Shri Vivek Singhal, Advocate.
For State- Shri Ashish Shukla, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/05/2018

Heard.

1. Instant petition is filed for death of son of the petitioner i.e. Rajesh Kumar Tiwari.
2. It is alleged by the mother petitioner that his son was subjected to murder but it has been given projection of road accident and the allegation have been imputed which on the first sight cannot be sidelined.
3. On the whole it is felt that the petitioner do not have any confidence on the investigation being carried out by the SHO who carried out the investigation in FIR No.262/2017 dated 4/11/2017. This fact cannot be ignored that if the near and dear of someone dies he has all the right to know the cause of death specifically when certain allegation are imputed,

then it is for the betterment of the department that higher official should take interest in that.

4. Accordingly, Superintendent of Police, District Janjgir-Champa is directed that to his discretion investigation may be carried out by any other officer other than the officer who carried out the initial investigation. It is made clear that court has not made any adverse comment and expect that police will discharge its duty with all faith and honestly as public at large depend on them.

5. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE