

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

**COCP No. 851 of 2018 (O&M)
Date of Decision: 03.04.2018**

Rashpal Singh

..... Petitioner

Versus

Darshan Singh Mann, Senior Superintendent of Police,
Tarn Taran, District Tarn Taran, Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab.

JASWANT SINGH, J.

CM No. 5502-CII of 2018

Present application moved by the counsel for petitioner is for placing on record the photographs of deceased-Ranjit Singh @ Tida and his wife Daljit Kaur as **Annexure P-4** and further seeking exemption from filing the certified copy thereof.

Application supported by the affidavit of petitioner is allowed, as prayed for. The photographs of deceased-Ranjit Singh @ Tida and his wife Daljit Kaur are taken on record as **Annexure P-4**.

Registry to tag/paginate the application at appropriate place in the paper-book.

MAIN CASE

Petitioner (Rashpal Singh) has filed this contempt petition on the ground of alleged violation of the order dated 09.11.2017

(Annexure P-1) passed in criminal petition bearing CRM-M No. 42569 of

2017, whereby the prayer of protection of life and liberty of the petitioner and his family members was disposed of with a direction to the Senior Superintendent of Police, Tarn Taran, to look into the representation dated 23.10.2017 and take required action, if any.

The petitioner had made a complaint on 09.07.2017 in respect of the alleged murder of his brother namely, Ranjit Singh, who was allegedly administered poison forcibly by Amarjeet Singh and others as Ranjit Singh was having an affair with Daljit Kaur daughter of Amarjeet Singh. The said complaint is on record as **Annexure P-2** with this petition as well. The complaint was followed by representation dated 23.10.2017.

The contents of the complaint are not sufficient enough to lend credibility to the version of the complainant/petitioner as the same are contradictory. The petitioner on one hand has alleged that he received a telephonic call regarding voluntary consumption of poison by his brother, but in the latter part alleges forcible administration of the poisonous medicine, and to sum up mentions that no compromise has reached despite efforts. Faced with this situation without issuing any notice on 20.03.2018, learned State Counsel was asked to find out the outcome of the inquiry regarding unnatural death of Ranjit Singh.

Today, Mr. Rajinder Singh, ASI, P.S. City Tarn Taran, is present in Court and has informed that inquest proceedings were carried out in respect of unnatural death of Ranjit Singh, followed by post mortem. However, the cause of death is yet to be ascertained, as the report of the Chemical Examiner is awaited. To a pointed query, it is revealed that the person of the deceased had no other injury much less on the lips, face to

factum of marriage as pleaded by the complainant/petitioner is seriously disputed.

The police of Police Station City, Tarn Taran is already seized of the subject pertaining to the alleged unnatural death of Ranjit Singh and, therefore, the order dated 09.11.2017 **(P-1)** is substantively complied with. The arguments of the counsel that no FIR has been registered is without any force cannot be entertained in the contempt jurisdiction, particularly when there is so much uncertainty in the alleged complaint and it would not be appropriate for the contempt court to ascertain the correctness of the alleged complaint. It is already made clear in the order dated 09.11.2017 **(P-1)** that the required action be taken in accordance with law, if any.

Therefore, in view of the above facts and circumstances, the petition deserves to be dismissed.

Dismissed.

Rule is discharged.

April 03, 2018

'dk kamra'

**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>