

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227

CRM-M-15575-2017

Date of Decision:29.08.2018

Jagdev Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Navneet Kumar, Advocate,
for the petitioner.**

**Mr. Rana Harjasdeep Singh, D.A.G., Punjab,
for respondent Nos.1 to 5.**

**Mr. Varinder Pal Singh Mithewal, Advocate,
for respondent Nos.6 to 9.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of a direction to respondent Nos.1 to 5 to hand over the investigation of FIR No.11 dated 03.02.2017 under Sections 302, 34 IPC, registered at Police Station District Machhiwara, Police Distt. Khanna, District Ludhiana, to some independent agency and/or order constitution of a Special Investigation Team of Crime Branch of the Punjab Police for fair and impartial investigation of the case.

On notice of motion having been issued, learned State Counsel has filed reply by way of affidavit of Sh. Gurvinder Pal Singh, Deputy Superintendent of Police, Samrala Sub Division, Police District Khanna,

District Ludhiana.

As per reply during the course of investigation, viscera of the deceased in this case was sent to the Chemical Examiner to Govt. of Punjab, Kharar, and the heart of the deceased was sent to Govt. Rajindra Hospital, Patiala. As per report dated 03.07.2017 made by Chemical Examiner to Govt. of Punjab, Kharar, "No poison was detected in the contents of exhibits I, II, III and IV." Similarly, as per report submitted by Dr. Manmeet Kaur, Senior Resident, Deptt. of Pathology, Govt. Medical College, Patiala, the patient was having "chronic ischemic heart disease". Both the reports have been attached with the reply as Annexures R-1 and R-2.

On the basis of aforesaid reports, the Medical Board constituted by Dr. Sandeep Manav and Dr. Saroj Sethi of Civil Hospital, Samrala, has given an opinion that cause of the death was "myocardial infarction due to chronic heart disease".

Learned State Counsel on instructions from HC Sanjeev Kumar states that on the basis of report so referred above, cancellation report has been prepared on 14.07.2017, which is pending approval before the competent authority.

In view of the aforesaid development, prayer of the petitioner for fair and impartial investigation no more survives.

The present petition stands disposed of accordingly.

August 29, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No