

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

**CRM-M-31238-2017
Date of decision: 20.11.2018**

Dhira

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- None for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Arun Sharma, Advocate
for respondent Nos. 6 and 7.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to respondent Nos. 2 and 3 to investigate and register an FIR against respondent Nos. 6 and 7 regarding unnatural death of Raju, younger brother of the petitioner.

Reply, by way of affidavit of DSP, Assandh, dated 25.10.2017, is on record. As per reply, on receiving an information that the dead body of a person is lying in the canal near the village Risalwa, the police party reached at the spot, where they met with the petitioner, who recorded his statement that his brother disappeared on 13.06.2017 and they were searching him at their own level and got an information that the dead body of a person is lying in the canal and on reaching at the spot, they informed the police. It is further stated by the petitioner that postmortem of the dead body be conducted to find out the cause of death and further legal action be taken.

It is further stated in the reply that thereafter, the police conducted the verification and prepared the rough site plan and other documents at the spot. On inquiry from the petitioner and other respectables of the village, it was verified that death of Raju had taken place due to drowning in canal water and they have no suspicion on any person. Thereafter, the postmortem was got conducted and viscera was sent to FSL, Madhuban. It is further stated that on 01.08.2017, the petitioner gave an application to Superintendent of Police, Karnal, on which, an inquiry was conducted by DSP, Assandh and as per inquiry report (attached as Annexure R-3 with the reply), it was found that suspects Sudha w/o Rajender Kumar, Jeet s/o Giasu Ram, Sishan s/o Ramesh Kumar and some other persons were involved in the investigation and their statements were recorded. On 8/9.06.2017, an altercation has taken place between Nanha s/o Hukma Ram with deceased Raju, in which, he had given beatings to Raju on account of some money dispute. However, the complainant has shown his disagreement with the version of the suspects but he could not give any proof regarding their involvement in the death of Raju and no evidence could be produced by him to connect these persons with the death of Raju. It is further stated that during inquiry, it was found that due to family dispute, Raju occasionally used to remain under depression. It was further stated that viscera report is awaited.

Learned State counsel, on instructions from ASI Narinder Singh, submits that viscera report has been report and as per report, no poison was detected, therefore, Raju has died due to drowning in the canal water.

There is no representation on behalf of the petitioner. Even on the last date of hearing, none appeared on behalf of the petitioner.

In view of the above, this petition is disposed of with liberty to petitioner to file a complaint before the competent Court of law, if so advised, for redressal of his grievance,.

November 20, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No