

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-41750-2013 (O&M)

Date of decision: 20.11.2018

Court on its own motion

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. BS Khehar, Advocate Amicus Curiae for the petitioner.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Perusal of the file shows that it is a case of custodial death of an undertrial.

In nutshell, undertrial-Kalu Ram @ Kala S/o Balwant Ram S/o Gola Singh, resident of village Sheikh Shuban, now at village Bhura Rani (Farm House), Police Station Rudarpur, District Kanhipur (Uttra Khand), died in judicial custody around 03.40 PM on 29.12.2012, in Central Jail, Ferozepur. Consequently, judicial inquiry was conducted under the orders of the then Administrative Judge, Sessions Division, Ferozepur dated 28.03.2013. Pursuant thereto, Chief Judicial Magistrate, Ferozepur, submitted inquiry report along with forwarding letter No. 1526 dated 23.08.2013 to learned District and Sessions Judge, Ferozepur, reporting therein that on the basis of medical and FSL reports, cause of death of

undertrial-Kalu Ram was poison i.e. Chloro Compound group of insecticide present in the stomach and its contents, small and large intestine, liver, spleen and blood.

As per affidavit of Sh. Manmohan Singh Aulakh, Deputy Superintendent of Police (City), Ferozepur, dated 20.02.2018, FIR No. 15 dated 09.01.2015, under Section 302 IPC was registered at Police Station City, Ferozepur against unknown persons and inquiry was conducted by the Senior Superintendent of Police (City), Ferozepur also. It was found that deceased-Kalu Ram, was not poisoned by anyone, neither he himself had eaten any alleged insecticide. Rather, he died a natural death.

Learned State counsel submits that various inquiries have been conducted in this case since the year 2012. The matter is being inquired into from various angles and by several Investigating Officers' and no one is found guilty for custodial death of aforesaid-Kalu Ram.

In view of the above factual aspect of the matter, the instant petition is disposed of as having rendered infructuous, with liberty to the victims to approach the Member Secretary, Punjab State Legal Services Authority for compensation, if any, if, they so desire.

November 20, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No