

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-30850-2018 (O&M)

Date of decision : 4th December, 2019

MOHAR SINGH AND ANR

.....Petitioners

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. N.S. Shekhawat, Advocate
and Mr. D.S. Mann, Advocate
and Mr. Rajender Banku, Advocate
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Pankaj Bali, Advocate
for the respondent No.2.

ANIL KSHETARPAL , J (ORAL)

Petitioners herein pray for quashing of criminal prosecution pursuant to an FIR No. 48 dated 18.02.2017, under Sections 304A IPS, at Police Station Nissing (District Karnal) (Annexure P1).

Petitioners are employees of the electricity supply company. They allege false implication on the basis of various documents Annexures P3, P4 and P7. Deceased-Raghubir Singh had died due to electric shock on 27.01.2017. Petitioners claim that he suffered electric shock when he was repairing electric motor of a villager-Rajbir Singh. On the other hand respondent claim that Raghubir Singh died due to electric shock as officials of the electric supply company has placed transformer on the ground with

naked wire and deceased got entangled resulting in his death.

Learned counsel for the petitioners submits that the first informant who is the brother of the deceased has changed his stand after a period of more than 20 days. He submitted that proceedings under Section 174 Cr.P.C was concluded in the presence of first informant and his other relatives including co-villagers.

After conclusion of the investigation, the police report as required under Section 173 Cr.P.C. has been filed. Keeping in view the disputed question of facts involved, this Court is not inclined to interfere at this stage. However, since some allegations have been made, therefore Superintendent of Police, Karnal is requested to examine the entire file vis-a-vis the allegations made in the petition and take call on future course of action within a period of one month.

The petition is disposed of accordingly.

(ANIL KSHETARPAL)
JUDGE

04.12.2019

tarun/himanshu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No