

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

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**CRM-M-35213-2018 (O&M)
Date of Order: 26.09.2019**

SEWA SINGH

..... Petitioner

Versus

STATE OF PUNJAB & OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mikhail Kad, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G., Punjab.

Mr. Sukhdeep Singh Sandhu, Advocate for respondent No.5.

ANIL KSHETARPAL, J(Oral)

Petitioner is an unfortunate father, who has lost his son late Sh. John Pal Singh. A previous petition filed by the petitioner was disposed of vide order dated 02.02.2018, relevant part of which is as under :-

“Accordingly, this petition is disposed of with a direction to the respondents to conduct fresh investigation as per order of learned Magistrate dated 22.5.2017 by appointing an Officer not below the rank of Deputy Superintendent of Police. The investigation shall be completed as early as possible preferably within a period of 90 days from the date of receipt of a certified copy of this order.”

Present petition was filed for directing fair and impartial investigation.

In response to the petition, affidavit of Deputy Superintendent of Police has been filed, in which it has been stated that police after investigation has reached at a conclusion that there is no substance in the allegations levelled against the petitioner. It has further been stated that proceedings under Section 182 IPC against the petitioner have been initiated.

Death took place on 08.11.2014. Initially, Investigating Agency has filed cancellation report, however, the learned Magistrate ordered further investigation. Even after further investigation, the conclusion of the Investigating Agency is same and it has been reported that cancellation report has been prepared which shall be presented to the competent Court.

Keeping in view the aforesaid facts petitioner is relegated to the remedy before learned Magistrate.

Hence, petition is disposed of.

September 26, 2019
sarita

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes
Whether reportable	: No