

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

CRM-M-44552-2018 (O&M)

Date of decision : 08.04.2019

State of Punjab

...Petitioner

Versus

Ex Inspector Narang Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vikrant Attri, Advocate for

Mr. Dhiraj Chawla, Advocate for respondent Nos.1, 2, 4 to 14.

ANIL KSHETARPAL, J. (ORAL)

Mr. Vikrant Attri, Advocate for Mr. Dhiraj Chawla , Advocate has put in appearance on behalf of respondent Nos.1 to 14 except respondent No.3.

As per office report, respondent No.3 has been served. However, no one is present on his behalf.

Order under challenge is dated 04.06.2018, whereby partially the application under Section 311 of the Criminal Procedure Code has been allowed whereas prayer for examining Constable Baljit Singh has been declined.

Learned counsel for the State submits that the allegations against the accused who are police officials are on account of custodial

death of Bikramjit Singh. He submits that the thumb impressions of the deceased were preserved before disposing of the dead body as his identity was not known. Learned counsel submits that it is necessary to examine Baljit Singh, Constable, who had deposited the thumb impression of the deceased with Finger Prints Bureau, Phillaur. He submits that the entire case is based upon circumstantial evidence and, therefore, it is necessary to complete the chain of events.

On the other hand, learned counsel for the respondents has no objection.

Accordingly, the present petition is allowed.

Order dated 04.06.2018 with respect to dismissal of the application refusing to examine Constable Baljit Singh is set aside.

Learned trial Court would permit the prosecution to examine Baljit Singh.

08.04.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No