

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.568 of 2018

DATE OF DECISION: AUGUST 20, 2019

LAKHWINDER SINGH

...PETITIONER

VERSUS

STATE

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. SAURABH ARORA, ADVOCATE
FOR THE PETITIONER.

MR. RAMDEEP PRATAP SINGH, DAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

The petitioner has filed the instant petition for a direction to the Police Authority at Police Station Kulgarhi, District Ferozepur to trace his minor son Sahil who is missing since 3.6.2018 or in case he has been murdered, then to recover his dead body as she suspected some persons detailed in the petition behind his son's absence.

A complaint dated 20.6.2018 filed by Lakhwinder Singh son of Jarnail Singh regarding missing of his son, namely, Sahil was treated as Criminal Writ Petition and was placed on judicial side for adjudication.

Notice of motion was issued in the petition on 13.7.2018 and pursuant to same, short reply by way of affidavit of Lakhvir Singh, PPS, Deputy Superintendent of Police (Rural), Ferozepur was filed.

Learned counsel for the petitioner has contended that the son of the petitioner was missing since 3.6.2018 and suspicion was expressed upon

10 persons named in para 2 of the complaint.

As per the pleadings, the son of the petitioner had drowned in a canal. The reply filed by the State also reveals that on the basis of his application, a case FIR No.88 dated 8.8.2018 under Section 346 IPC, P.S. Kulgarhi was registered against unknown persons. It is further revealed that the son of the petitioner alongwith his friends went to Gang canal in village Jhok to take bath and while jumping into the canal, the rope which he had tied around his waist broke and he drowned. Reference was made to the statements made by various persons, namely, Laadi, Saajan, Bobby, Ajay Kumar, Jitesh Sharma @ Gora, Punnu, Babbal, and Samay who stated that they were present at the spot and witnessed the aforesaid occurrence. The statements have also been placed on record.

After hearing learned counsel for the parties, this Court finds that it is not in dispute that the son of the petitioner has died of drowning and an FIR already stands registered which is being looked into. Resultantly, no case is made out for exercise of extra ordinary writ jurisdiction.

Petition is dismissed.

August 20, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No