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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30841-2019 (O&M)
Date of decision-17.09.2019

Raghbir Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jai Bhagwan, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner-Raghbir has filed this petition under Section 482 Cr.P.C seeking directions to the official respondents for registration of FIR under Section 302 read with Section 34 of Indian Penal Code against the private respondent Nos.8 to 10 for having allegedly committing murder of his son, namely, Karam Singh @ Kalu. Further, it is prayed that investigation of the case be handed over to an independent agency.

On 22.07.2019, learned State counsel was directed to verify the facts as contained in the petition and in response to the said order, reply by way of affidavit of Rohtash Singh, Deputy Superintendent of Police, Hansi, Police District Hansi-respondent No.5 on behalf of respondent Nos.1 to 7 has been filed.

Learned counsel for the petitioner contends that the information regarding unnatural death of son of the petitioner was recorded by the Police

through DDR No.21 dated 23.08.2017 upon the information given by his wife Chameli. As per the said information, the son of the informant had been working as a labourer against whom a case FIR No.282 dated 22.08.2017 under Sections 354-A, 354-B, 506 IPC and Section 8 of POCSO Act, 2012 was registered at Police Station Sadar, Hansi on the statement of Neetu daughter of Lt. Wazir Singh. Thereafter, they came to know that their son had expired and his dead body was identified by them. At that stage they expressed suspicion that their son was murdered.

According to him, he made representations to the Director General of Police, State of Haryana with request to arrest the accused persons. It was pleaded by the petitioner that investigation/inquiry was conducted by DSP who submitted his report on 08.11.2017, wherein both the sides were associated. Annexures P-4 to P-6 reveal that three inquiries were conducted by DSP and it was concluded that the allegations of the complainant were not true and reliance was placed on postmortem report which reflected cause of death as asphyxia or due to hanging.

Learned counsel for the petitioner contends that the dead body of the victim was found on the road and if, it was a case of hanging, then how the body was found on the road in front of the shop.

On the other hand, learned State counsel has referred to detailed inquiries reports and submitted that the victim voluntarily ended his life as he had abused Neetu minor daughter of Lt.Wazir Singh on 22.08.2017 and for the said offence FIR No.282 dated 22.08.2017 under Sections 354-A, 354-B, 506 IPC and Section 8 of POCSO Act, 2012 was registered against

him.

During the course of hearing, the State counsel produced the inquest proceedings under Section 174 Cr.P.C and the statements of Ashok and Raghubir Singh recorded under Section 175 Cr.P.C. In the said statements, it was mentioned that family members of Neetu had threatened that Karam Singh would be killed. It is not in dispute that the complaint was looked into on three occasions by different officials and the reports (Annexures P-4 to P-6) reveal that no truth was found in the complaint given by Raghubir Singh also, except ligature mark, there was no injury found on the person of the victim (Karam Singh).

Considering the statement under Section 175 Cr.P.C of the petitioner and other attending circumstances, this Court finds that conclusion drawn by the Police does not warrant any interference.

The petition is dismissed.

(MANOJ BAJAJ)
JUDGE

17.09.2019

vanita/Janki

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No