

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

244

CRM-M-20288-2017 (O & M)  
Date of Decision:02.07.2019

RAVI KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. V.P. Singh, Advocate  
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. Ravi Kamal Gupta, Advocate  
for respondents No.4 and 5.

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MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for issuance of directions to respondents No.1 to 3 for fair and proper investigation in FIR No.79 dated 03.09.2016 registered at Police Station Sujanpur, District Pathankot as no final report under Section 173 Cr.P.C. was filed before the Competent Court of jurisdiction.

Learned counsel for the petitioner contends that the FIR was got recorded regarding homicidal death of his father namely Ramesh Chand. The said information to the police whereupon, the FIR was recorded reads as under:-

*“Statement of Ravi Kumar son of Late Ramesh  
Chand caste Ramdasia, residents of village Attepur, P.S.  
Sujanpur, aged about 23 years, mobile no.9115145854.*

*Stated that I am resident of above said address. Stated that my father was President of BJP Party, SC Wing, Sujanpur Halqa. Like other days today on 03.09.2016 at about 4.00 A.M. my father went for walk ad at about 6.30 A.M. brother of my father namely Garib Dass told me that some unidentified persons has killed near Shamshanghat by hitting by hitting on the right side of his head with sharp edged weapon and he died on the spot. I along with my elder brother Khem Karan and Sarpanch Sarabjit Singh reached at the spot where I saw my father was killed with sharp edged weapon by some unidentified persons. I am going to inform you by leaving my brother Khem Karan with the dead body and you met me. I have given my statement. Action may kindly be taken.”*

At this stage, learned State counsel has referred to the reply dated 26.09.2018 to contend that during investigation, various persons were associated in the investigation for interrogation. According to the learned State counsel, no eye witness was found in this case and no concrete evidence has come on the file to proceed against anyone. It is specifically mentioned in the affidavit that police left no stone unturned to solve the present case, but no clue was found regarding murder of Ramesh Chand.

At this stage, learned counsel for the petitioner contends that the petitioner had expressed his suspicion upon respondents No.4 and 5 by way of his supplementary statement, given in November, 2016.

In response, learned counsel appearing on behalf of

respondents No.4 and 5 has pointed out that they were taken into police custody illegally on 15.09.2016 and it compelled them to file CRWP No.1245 of 2016 regarding their illegal detention. He submits that a compensation of ₹2 lacs was awarded to them. This fact is not disputed by learned State counsel.

Since the untrace report has been filed by police after completion of investigation, therefore, the present petition is rendered infructuous.

Disposed off.

02.07.2019

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**(MANOJ BAJAJ)**  
**JUDGE**

Whether Speaking/Reasoned: Yes/No  
Whether Reportable : Yes/No