

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 15081 of 2013 (O&M)
Date of Decision: 03.2.2020**

Kesar Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Rana Gurtej Singh, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Ms. Kaavya Jariyal, Advocate for
Mr. Sumeet Goel, Advocate
for respondent No. 6-CBI.

HARNARESH SINGH GILL, J. (ORAL)

This is a petition under Section 482 Cr.P.C. seeking direction for an impartial probe by the CBI into the custodial death of petitioner's son in P.S. Khamanon, District Fatehgarh Sahib on 10.11.2019.

This is a petition by the father who has been running from pillar to post to know the fact that how the death has occurred. This Court is conscious of the date on which the son of the petitioner died.

Learned counsel for the petitioner has drawn the attention of this Court on the enquiry report conducted by Judicial Magistrate Ist Class, Fatehgarh Sahib which shows that the son of the petitioner had died due to hanging.

Learned State counsel submits that as per the post-mortem report, it was a case of hanging.

Learned counsel for the petitioner states that the question

remains that whether the son of the petitioner was hanged after his death or before his death.

Notice of motion in this case was issued on 8.5.2013 and since it is a custodial death, State was directed to pay Rs. 5.00 lacs as interim compensation without prejudice to the other rights of the petitioner.

In compliance to the said order, the said amount was paid by the State to the petitioner.

Since the son of the petitioner had died in the custody, let Senior Superintendent of Police, Fatehgarh Sahib depute Superintendent of Police of his district to enquire into the matter. The petitioner will join the investigation as and when called for.

Report of the Superintendent of Police through Senior Superintendent of Police shall be submitted to the Registry of this Court as well as to the petitioner within three months from the date of receipt of certified copy of this order .

The petition stands disposed of.

(HARNARESH SINGH GILL)
JUDGE

February 03, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No