

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43764-2013 (O&M)

Date of decision: 06.02.2020

Surjit Singh and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Satish Goel, Advocate for the petitioners.

Mr. Pawan Girdhar, Addl. AG, Haryana.

Mr. Deepak Thapar, Advocate for respondent No. 2.

Ms. Kamini Jaswal and Ms. Rani Mishra, Advocates
for respondents No. 9 to 11.

Mr. RP Daaria, Advocate for respondents No. 12 and 13.

Mr. JK Goel, Advocate for
Mr. Shrey Goel, Advocate for respondent No. 14.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for directing respondents No. 1 to 6 to conduct fair re-investigation in case FIR No. 256 dated 29.07.2013 (Annexure P-8) under Sections 148, 149 and 302 IPC at Police Station Shahbad, District Kurukshetra, registered against petitioners and their co-accused qua death

of Anita wife of petitioner No. 1-Surjit Singh and to provide adequate security to protect their life and liberty.

Upon notice, on the consent of learned counsel for the parties, detailed order dated 10.04.2015, was passed by a co-ordinate Bench of this Court, directing investigation to be conducted by a Committee, comprising of three officers, namely; Sh. Parminder Rai, Director General of Police (Prisons), Panchkula; Sh. Mohinder Lal, Director General of Police (OSD Rules), Panchkula and Sh. Mohinder Singh Mann, DGP (Human Rights and Litigation), Panchkula. Pursuant thereto, two separate reports dated 31.03.2016 were furnished. For ready reference, order dated 15.12.2016 passed by this Court is reproduced hereunder:

“The report of the two members Committee of the Officers dated 31.03.2016 has been produced in the Court in sealed cover and the same has been opened. On opening of the report, it has been found that the report of the two members is containing pages from 1 to 55. Secondly, there are Annexures (1 to 80) from page No.1 to 1084 and thirdly, the report of M.S. Mann, Retired I.P.S from page No.1 to 46 is also there.

The reports as such is taken on record.

Learned counsel for the parties seek time to inspect the report and to address arguments.

Adjourned to 19.01.2017.”

Conclusion of both the reports was in consonance to each other that earlier investigation done by the investigating officer was correct and genuine. Petitioners, namely; Surjit Singh and Bal Kishan along with their co-accused, namely; Om Parkash @ Nanna (now deceased) and Harjeet Singh (petitioners No. 6 and 7 in connected CWP-6056-2014), had set ablaze Anita wife of Surjit Singh-petitioner No. 1 herein, by pouring kerosene and, thus, they were responsible for her death.

It is not disputed by learned counsel for the petitioners that the matter qua death of Anita, has been investigated four times by different Special Investigation Teams, i.e. initially, (i) investigation was done by SIT headed by Sh. Shrikant Jadhav, Inspector General of Police (Crime), holding the petitioners and two aforesaid persons guilty; (ii) second on the directions of Director General of Police, Haryana, upon a representation of petitioners, by constituting another SIT, headed by the then Commissioner of Police, Ambala; (iii) third investigation by SIT, headed by Sh. SS Kapur, the then Inspector General of Police, South Range, Rewari and (iv) the fourth one by the aforesaid officers, in terms of order dated 10.04.2015, with consent of learned counsel for the parties. In all the four reports, complicity of petitioners along with their aforesaid accomplice was found.

The matter has been investigated four times by four different SITs, headed by senior IPS Officers. Therefore, no purpose would be served to continue this petition, more particularly when final report under

Section 173(2) Cr.P.C., has already been filed against the petitioners in Court.

In view of discussion made above, the instant petition is dismissed.

February 06, 2020
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(RAMENDRA JAIN)
JUDGE

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