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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1760/2019

RAJ RANI @ RAJNI

..... Petitioner

Through: None.

versus

STATE & ORS.

..... Respondents

Through: Mr Rajesh Mahajan, ASC for State
with Ms Jyoti Babbar, Advocate with
ASI Manveer, PS Gokulpuri.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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28.02.2020

CRL.M.A. 12646/2019

1. Allowed, subject to all just exceptions.

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2. None appears for the petitioner.

3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents to conduct a fair and impartial investigation in a case pertaining to the unnatural death of her son.

4. The petitioner was married to one Prem Kumar S/o Shri Shoraj Mogha on 15.02.1995. She states that her marriage was very unhappy; her husband used to consume alcohol on a daily basis and remained very aggressive and depressed. He, committed suicide in the year 2007. She alleged that after the demise of her husband, her in-laws made her life

miserable and turned her out of her matrimonial home on 23.11.2007. But her three children – two daughters and a son – continued to reside with her in-laws. She states that in order to make her self-sufficient and financially strong, she completed her graduation and post-graduation. Thereafter, she cleared the railway examination and was appointed as Chief Controller of Indian Railways. She stated that her children remained with their grandparents (father's parents) and they did not allow her to meet them. She stated that she received the information on 10.05.2019 that her son, who was a student of class X, had committed suicide. She claims that she had sought further information from the police authorities but did not receive any response from them.

5. At the outset, it is relevant to note that the petition does not contain any allegations that her in-laws were mistreating her son. There is also no material whatsoever to indicate that there is any foul play on their part. Nonetheless, since an allegation was made by the petitioner that her in-laws had been suppressing the true facts, this Court had issued notice and pursuant to the same, a status report was filed. Subsequently, an additional status report dated 01.12.2019 was also filed.

6. The additional status report indicates that on 10.05.2019, a PCR call was received informing that the caller's grandson aged about 15 years, had hung himself. The DD entry was recorded and the matter was entrusted to ASI Manveer. He along with the police staff reached the spot and found a boy hanging by a blue plastic rope from the ceiling girder. Photographs were taken and the body was sent to GTB Hospital.

7. The additional status report also indicates that inquest proceedings

were conducted under Section 174 of the CrPC. The post-mortem indicates that the deceased had died due to “asphyxia as a result of ante mortem hanging”. The viscera of the deceased was preserved and examined, however, no traces of poison were found.

8. The grandfather of the deceased (Shri Shoraj Mogha), was examined. He that his grandson had committed suicide as being distressed on account of his poor result in class X Board examination. Statements of the sisters of the deceased; his paternal aunt (bua); friends of the deceased; teachers of the deceased; and neighbours where the deceased was residing, were recorded. All of them had confirmed that the grandfather of the deceased (Shri Shoraj Mogha) used to look after his grandchildren. Most of them also confirmed that the deceased was distressed on account of his class Xth result.

9. In view of the above, this Court does not find any lapse in the investigation or the procedure followed. No orders are required to be passed in this petition. The same is, accordingly, dismissed.

VIBHU BAKHRU, J

FEBRUARY 28, 2020
MK