

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.4789 of 2021
Date of decision: 26.05.2021

Surjit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Rahul Kumar Adia, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

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Harsimran Singh Sethi, J. (Oral)

The present petition has been filed by the petitioner with a prayer that the representations dated 07.11.2020 (Annexure P/5) and dated 16.11.2020 (Annexure P/6), which have been filed by the petitioner as well as the representation dated 31.03.2021 (Annexure P/7) filed by the husband of the petitioner through email from Dubai be decided by the police authorities i.e. Senior Superintendent of Police, Hoshiarpur as well as by the Station House Officer, Police Station, Dasuya, District Hoshiarpur, as the petitioner apprehends that the death of her son which occurred under the suspicious circumstances, was actually a murder.

At the time of hearing, learned counsel for the petitioner concedes before this Court that investigations in respect of the present case have already been done by the police, wherein, the police is of the view that

the death of the son of the petitioner had occurred due to the accident, which he met on 05.11.2020, but, the petitioner is not satisfied with the said findings of the police.

The prayer of the petitioner for deciding the representations filed by her, keeping in view the facts and circumstances noticed hereinbefore, especially, when the police has already closed the investigations after recording the findings that the death of the son of the petitioner occurred due to the accident he met with on 05.11.2020 and was not murdered as being apprehended by the petitioner, no useful purpose will be solved by again asking the police to consider the representations of the petitioner and to pass fresh orders on the basis of the same investigation.

It is not the case that the petitioner is remediless. In case, the petitioner has any apprehension that her son did not die because of an accident but, was murdered, the petitioner has a remedy under Section 156(3) as well as Section 200 of the Code of Criminal Procedure which remedy can be availed by her.

Keeping in view the facts and circumstances recorded hereinbefore, no ground is made out to allow the prayer as made by the petitioner in the present petition for deciding her representations, which she has filed with the respondents, with liberty to the petitioner to avail appropriate remedy available to her for the redressal of her grievances.

Disposed off in above terms.

May 26, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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