

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 2220 of 2019
Date of Decision: 26.5.2022**

Veerpal Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Shweta Sharma, Advocate for
Mr. R.S.Sidhu, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner becoming aggrieved from the purportedly biased, and, slanted investigations, being made into FIR No. 80 of 2.4.2016, registered at Police Station City-1, Abohar, District Fazilka, constituting therein an offence under Section 302 IPC, hence has accessed this Court for a direction being made to the official respondents concerned, for transfer of the investigations, as are, underway into the petition FIR, rather to some other district.

2. After notice of motion, being sent to the official respondents, a detailed reply on affidavit, sworn by Deputy Superintendent of Police, Sub Division Abohar, District Fazilka, has been instituted.

3. A perusal thereof, discloses that one deceased Jagsir Singh, after strangulating one Neelam Kumari, has committed suicide.

4. A reference has also been made in the reply on affidavit, furnished to the petition, by the official respondents, that the cause of

demise of one Neelam Kumari, is on account of asphyxia, arising from hers

being strangled by one Jagsir Singh, and, that the cause of demise of the latter, is his committing suicide by hanging.

5. Since deceased Jagsir Singh is the principal offender or the solitary accused, in respect of commission of murder of one Neelam Kumari, yet when he is no longer in the world of living, given his committing suicide by hanging, thereupon, the contentions raised in the reply on affidavit, that obviously an untraced report became enjoined to be filed by the investigating officer, before the learned trial Judge concerned, and, as also became filed, obviously becomes amenable for becoming accepted by this Court.

6. In view of the above, nothing remains alive in the petition, and, consequently, the instant petition is dismissed.

7. However, if any evidence emerges, with respect to Jagsir Singh not murdering one Neelak Kumari but evidence emerges that some other person murdered Neelam Kumari, thereupon, the investigating officer concerned, shall proceed to forthwith make investigations, and, thereafter shall proceed to file an appropriate report, before the learned Magistrate concerned. He may also, upon emergence of the above evidence, move an application under Section 173(8) of the Cr.P.C., before the learned Magistrate concerned, ask for further investigations, being made into the petition FIR.

(SURESHWAR THAKUR)
JUDGE

May 26, 2022
Gurpreet

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