

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-15648-2021

Date of decision : 27.10.2022

SUKHWINDER SINGH**... Petitioner(s)****Versus****STATE OF PUNJAB AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Ms. Gurkanwal Kaur, Advocate for
Mr. Deepak Arora, Advocate for the petitioner(s).

Mr. Jaiteshwar Singh, Asst. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for issuance of necessary directions in the matter relating to the death of the son of the petitioner namely, Manpreet Singh @ Mukha who is stated to be of the age of approximately 17 years allegedly at the hands of respondent Nos.4 to 9.

The learned counsel for the petitioner has reiterated the grounds raised in the petition and submits that appropriate directions be issued to the Investigating Agency to proceed against the private respondents.

The learned State counsel on the other hand has referred to the reply dated 12.06.2021 by way of an affidavit of Mahesh Kumar, PPS, Deputy Superintendent of Police, Dinanagar, District Gurdaspur to contend that an inquiry had been conducted by the Superintendent of Police (Investigation), Gurdaspur. As per the said inquiry report (Annexure R1/T) both the parties were summoned and their respective statements were recorded. From the inquiry/investigation, it was found that on 19.01.2021, the statement of Sukhwinder Singh (petitioner) was recorded to the effect that he had two sons and a daughter. His son Manpreet Singh @ Mukha was of the age about 15 ½ years and 10+2

student. On 18.01.2021, he had gone to the Gurdwara Sahib but did not return home. Therefore, they got made an announcement through the Gurdwara at about 07.00 AM of the next day. Thereafter, his cousin brother Bungi son of Avtar Singh found the dead body of Manpreet Singh @ Mukha hanging on the Safeda Tree standing in the land of Mahinder Singh son of Charan Singh. Apparently, he was strangled with a cloth. As per investigation and the statement of the complainant/petitioner, Manpreet Singh @ Mukha was quiet from the last few days and it was not known as to why he had done such an act and they had no doubt on anybody nor did they want to proceed against anyone. The rapat with regard to the death of Manpreet Singh @ Mukha was lodged vide rapat No.18 dated 19.01.2021 under Section 174 Cr.P.C. It was only later that the petitioner moved the application alleging that his son had been murdered by Anmol Singh son of Gurcharan Singh alias Teetu, Harman Singh son of Sukhwinder Singh, Arwinder Singh son of Ajaib Singh alias Jaib, Bittu son of Harbans Singh, Talwinder Singh son of Santokh Singh and Bhupinder Singh son of Ajit Singh. However, as per Police investigation no role of the above-said persons was established with regard to the death of Manpreet Singh @ Mukha.

In view of the above, the present petition is disposed of with the liberty to the petitioner to avail his alternative remedies in accordance with law.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

27.10.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No