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

CRM-M-29649-2022

Date of decision:13.07.2022

SATNAM SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Prabhdeep Singh Bindra, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition cast under Section 482 of Cr.P.C., the petitioner seeks a mandamus, upon the official respondents concerned, qua the investigations, as are underway into the petition FIR bearing No.005 of 13.01.2022, lodged at Police Station Bhogpur, District Jalandhar Rural, under Section 306 of IPC, being transferred from the investigating team, which is extantly conducting them, rather to some other independent agency.

2. The accused named in the present petition, become submitted by the learned State counsel to become accorded the indulgence of pre-arrest bail, and, it is further submitted by the learned State counsel that, the above orders remained unchallenged, and, therefore, they acquire binding, and, conclusive effect. If so, the present petitioner cannot make any argument before this Court, that the investigating officer concerned, had not taken to cause their arrest, and/or, that, in his not taking to cause the arrest of the accused concerned, he was acting with *malafides*, and/or, that he was conducting slanted investigations into the petition FIR.

3. With the present petition a suicide note is appended as Annexure P-1, hence attributing the relevant *mens-rea* against the accused named inasmuch as, theirs respectively actuating him, and/or, instigating him to commit suicide, and, thereafter theirs abetting his committing suicide,.

4. The learned State counsel on instructions, given to him, by the investigating officer concerned, submits that the handwriting expert concerned, has, after making comparisons of the signature of the deceased, as carried in Annexure P-1, with his admitted/standard writings, had made a conclusion that, the deceased had authored Annexure P-1. In consequence, Annexure P-1 becomes a dying declaration. The further consequence thereof is that, the argument, as addressed before this Court, that the demise of the deceased was not suicide, and, but was homicidal rather becomes completely rudderless, and, if so, and, also when the above transfer of investigations is asked for, upon the above ground, thereupon, this Court becomes completely constrained to disallow the above made prayer.

5. In consequence, there is no merit in the petition, and, the same is dismissed.

(SURESHWAR THAKUR)
JUDGE

13.07.2022

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