

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-23529-2019

Reserved on: 28.07.2022

Date of Pronouncement: 08.08.2022

Shashi Kumar

...Petitioner(s)

Versus

State of Haryana & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Dinesh Arora, Advocate
for the petitioner(s).

Mr. Rajat Gautam, DAG, Haryana.

ANOOP CHITKARA, J.

Dissatisfied with the investigation regarding death of his son, father has come up before this Court under Section 482 CrPC for handing over the investigation to some independent agency.

On 27.01.2019, the police received a telephonic information that one boy was lying near Sampla bypass in an injured condition. On this, he was brought to PGIMS, Rohtak. The investigator sought medical opinion about his fitness, but the doctors did not declare him fit to make a statement. Later on, on 2.3.2019, the injured was discharged from the hospital, however, the family members did not inform the police, who came to know about this fact on 22.4.2019, on which date, the injured expired.

The family members of the deceased suspected that Karambir @ Bhalle, Sandeep @ Kukdi and Satbir have caused the murder of their son, as they had taken him along on the pretext of attending a marriage, but they themselves attended the wedding and threw him on road side after inflicting serious head injuries. As such, the investigator called all three of them and they joined the

investigation. In the meantime, medical examination of the injured/deceased was conducted and as per the concerned doctor, the cause of death of injured Sagar was head injuries and its complications. The MLR of the deceased Sagar also suggested that accident/physical assault cannot be ruled out.

During the course of investigation, all the three suspects voluntarily agreed for their polygraphic test, which was conducted on 22.11.2019. As per the report of the FSL Madhuban, Karnal, all the three suspects i.e. Karambir @ Bhalle, Sandeep @ Kukdi and Satbir, were found to be innocent under such polygraphic test. Furthermore, Karambir @ Bhalle and Satbir also stated that on 26.01.2019, Sagar had met with an accident with a vehicle on a high speed. Since the police had already conducted investigation after discharge of the injured from PGIMS Rohtak, the deceased's family did not make any effort to record his statement under Section 164 CrPC or did not make any complaint from him and it was only after his death that they again started raising doubts against three suspects, who have been declared innocent in the polygraphic test.

Given above, there is nothing to send the investigation to any other agency. Consequently, the present petition is dismissed.

(ANOOP CHITKARA)
JUDGE

August 08, 2022
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.