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

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**CRWP-10708-2020(O&M)**
**Date of decision: 21.07.2022**

**SUKHA MASIH**

....Petitioner(s)

**Versus**

**STATE OF PUNJAB AND ORS**

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present : Mr. G.S. Dhillon, Advocate for
Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

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**VINOD S. BHARDWAJ. J. (ORAL)**

The instant petition has been filed under Article 226 of the Constitution of India directing the respondent Nos.2 and 3 to protect the life, liberty and property of the petitioner at the hands of respondent No.4 and 5.

Pursuant to the notice of motion issued on 22.12.2020, reply by way of an affidavit of Dhruv Dahiya, IPS, Senior Superintendent of Police, District Amritsar (Rural) dated 29.01.2021 has been filed. The relevant extract of the same reads thus:-

> *5. That it is further respectfully submitted that the petitioner got recorded his statement at Police Post: Dharamkot Randhawa, Police Station: Dera Baba Nanak, Police District Batala. That the DDR No 9 Dated 03.05.2019 was recorded in Roznamcha. In the said DDR it has been recorded that the son of the petitioner died because of the injury while working and no one is responsible for his death and it is further stated that the petitioner has stated at that time that he does not want to get the postmortem conducted and therefore the body was handed over to him as such and no legal action was taken. The copy of the DDR No 9 Dated*

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*03.05.2019 recorded by Batala Police is attached as* ***Annexure R-1/T****.*

*6. That it is respectfully submitted that during the inquiry the DSP Sub-Division Ajnala has further stated that as per the statements recorded during the inquiry no evidence has been found that shows that Rajbir Singh was murdered. That as per the inquiry of DSP Sub Division Ajnala which has been seen/approved by the deponent no offence is made out and even otherwise the jurisdiction in the present case is of the Police of Police District Batala. The report of the DSP Sub-Division Ajnala which has been approved by the deponent is attached as* ***Annexure R-2/T****.*

The inquiry report so conducted by the Deputy Superintendent of Police, Sub Division Ajnala has also been appended along with the said response as Annexure R-2/T. The said report has not been controverted.

In view of the fact that the inquiry had already been conducted by the Police into the matter and they have come to the conclusion. The petitioner, if not satisfied with the result of the said inquiry, may take recourse to the appropriate remedies available to him in accordance with law.

Dismissed as this stage.

**(VINOD S. BHARDWAJ)**
**JUDGE**

**July 21, 2022**
*S.Sharma(syr)*

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

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