

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

CRM-M-3402-2023

Date of Decision: May 10, 2023

MONIKA

..... Petitioner

Versus

STATE OF PUNJAB AND ORS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. J.S. Mahal, Advocate for
Mr. Paras Jagga, Advocate for petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 482 CrPC, prayer has been made for issuance of directions to respondents No.2-4 to take action against respondents No.5-10 on account of alleged inhuman treatment given to husband of petitioner who is confined in Central Jail Ludhiana.

2. During proceedings, the respondent-State filed an affidavit dated 01.05.2023, at Page-8 and 9 following contents were narrated:-

- “As per medical report of the medical board of Government Multi Specialty Hospital, Sector-16, Chandigarh, states that the accused Deepak Kumar alias Tona had old healed injuries at four places on his head, out of which, injuries shown at serial No.1 & 2 are between 02 months to 06 months old and injuries shown at serial No.3 to 4 are more than 06 months old. Regarding which, it is clarified that according to the statement of convict Lakhvir Singh and under trial Arun Kumar, on 06.01.2023, convict Deepak Kumar was to be produced before the Court. Before being taken to the court, prisoner Jaswinder Singh Jassi hit the under trial Deepak Kumar on his head with Kara in from of them.”

3. On the previous date on 01.05.2023 this Court passed the following order:-

“In compliance of order dated 23.03.2023, inquiry has been conducted by the D.I.G., Patiala Range and report dated 12.04.2023 in this regard has been furnished before this Court along with an affidavit of Mr. Roop Kumar Arora, Inspector General of Prisons, Punjab, Chandigarh.

A copy thereof has already been supplied to learned counsel for petitioner who prays for some time to go through the same.

In the meanwhile, Mr. Tarun Aggarwal, Sr. D.A.G. Punjab on instructions from Mr. Harbans Singh, DSP, Prisons submits that necessary action in accordance with law shall be taken in pursuance to inquiry report dated 12.04.2023 and for the said purpose he prays for a week’s time.

Adjourned to 10.05.2023.”

4. Today, learned State counsel on instructions from Deputy Jail Superintendent, Harbans Singh and ASI Mewa Ram, P.S. Division No.7, Ludhiana submits that the FIR No. 186 dated 03.05.2023 under Sections 182 & 193 of IPC and Section 52-A of Prisons Act, 1894 at P.S. Division No.1 has already been registered against the co-prisoner namely Jaswinder Singh @Jassi who allegedly inflicted injuries on person of husband of petitioner and investigation is being carried out in pursuance thereof.

5. In view of the aforesaid, learned counsel for petitioner submits that he does not press this petition at this stage.

6. Disposed of in the aforesaid terms.

10.05.2023
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No