

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

(235)

**2023:PHHC:091491
CWP-16153-2019
Date of Decision: 19.07.2023**

Karan Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

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

Present:- None for petitioner.

Ms. Niharika Sharma, AAG, Punjab for
respondents no.1 to 4.

VINOD S. BHARDWAJ.J (Oral)

There is no representation on behalf of the petitioner. The position remained similar on last two occasions as well.

Prayer in the present petition is for issuance of directions to the official respondents to hand over the further investigation of case FIR No.19 dated 28.5.2018 registered under section 304 IPC to the Crime Branch/Director, Bureau of Investigation, Punjab.

Vide order dated 1.7.2019 notice was issued to respondents no.1 to 3 only.

Reply by way of affidavit of Sh. Sucha Singh, D.S.P. (Rura), Pathankot had been filed on 19.8.2019, wherein it has been stated as under:-

“That the petitioner earlier filed a criminal Miscellaneous Petition No. 29356 of 2018 titled as Karan Singh Versus State of Punjab and others before this Hon'ble Punjab & Haryana High Court, Chandigarh. The Hon'ble Punjab & Haryana High Court, Chandigarh disposed of the CRM with the direction to the respondent No. 2 to look into the matter and to insure that the matter is fairly investigated and the investigating agency is duly monitored vide order dated

16.07.2018 passed by this Hon'ble Court.

4. That the petitioner has also filed a Contempt Petition No. 3733 of 2018 (O&M) before this Hon'ble Court. The Hon'ble Court vide its order dated 18.01.2019 which is as follows:-

“The present contempt petition has been filed for non- compliance of order dated 16.07.2018 to look into the investigation and to ensure that the matter is fairly investigated.

Short reply by way of an affidavit on behalf of the respondent has been filed. As per the said reply, the challan has already been filed after investigation on 28.01.2019 for framing of charge.

In view of the same, the present contempt petition is dismissed.

Rule issued against the respondent stands discharged ”.

5. That in compliance of the order passed by this Hon'ble Court dated 18.01.2019, the respondent No. 3 obtained the opinion through his office letter No. 983-5 EP dated 13.08.2019 from the medical officer, Civil Hospital, Pathankot on the basis of the post mortem report of deceased Amrik Singh. Dr. Sunil Chand Medical Officer, Civil Hospital, Pathankot given the opinion on dated 13.8.2019 which is as follows:-

(i) Cause of Death:- Food particles were found in trachea (pipe by which we breath) resulting in asphyxia.

(ii). Both feet were intact at the time of conduction of autopsy.”

Re-joinder/counter to the above said reply has been filed.

Cause of death is on account of the food particles found in trachea resulting in asphyxia.

It seems that petitioner is no more interested in pursuing the present petition.

Accordingly, present petition is dismissed for want of prosecution.

(VINOD S. BHARDWAJ)
JUDGE

19.07.2023

lucky

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