

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

248

CRM-M-47392-2019 (O&M)

Date of decision: 22.08.2023

ANIL

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present : Mr. Lajpat Rai Sharma, Advocate for
Mr. Vivek Khatri, Advocate the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

HARNARESH SINGH GILL. J.(Oral)

1. Present petition has been filed under Section 482 Cr.P.C for issuance of directions to the official respondents No.2 to 6 to investigate the case in a fair and proper manner, regarding the murder of Ishwar Singh i.e. father of the petitioner, committed by respondents No.7 and 8.
2. As per office report, notice could not be issued to respondents for want of process fee.
3. Learned counsel for the petitioner, who is appearing for Mr. Vivek Khatri, Advocate submits that the arguing counsel has undergone a surgery and thus he cannot appear.
4. With the assistance of learned counsel for the petitioner as well as learned State counsel, I have gone through the reply filed by way of affidavit of Deputy Superintendent of Police, Bhiwani and relevant part of the same reads as under:-

“That the complaints submitted by the petitioners party in this regard were duly enquired into by the answering respondents and medical opinion was obtained on the death of the deceased in order to ascertain as to whether the suicide was result of suicidal hanging or homicidal hanging and the doctor who conducted postmortem of the deceased vide his report dated 09.09.2019 has opined that....the cause of death is asphyxia due to hanging which is antimortem in nature and the findings in PMR are suggestive of Suicidal Hanging'. During the course of enquiry, no evidence come on file to indicate that father of the petitioner was murdered. Hence, present petition is liable to be dismissed.”

5. As per the medical opinion, the father of the petitioner namely Ishwar Singh has committed suicide by hanging.
6. Since there is medical opinion regarding the cause of death, no further interference is called for.
7. The present petition is disposed of with a liberty to the petitioner (Anil), who is the son of the deceased-Ishwar Singh to apply for copy of the postmortem in the concerned hospital, the same will be supplied to him within 10 days thereafter and if there is any grievance, the petitioner can approach to an appropriate Court.

(HARNARESH SINGH GILL)
JUDGE

22.08.2023
Amandeep

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No