

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.218

CRM-M-57736-2023
Date of Decision:21.12.2023

HARINDER PAL SINGH @ HINDA

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Amit Agnihotri, Advocate,
Mr. Mani Makkar, Advocate and
Mr. Abhishek Jindal, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Arun Pal Singh, ADGP (Prisons), Punjab and
Mr. Sukhminder Singh Maan, DIG, Prisons, Amritsar Circle,
Punjab.

N. S. SHEKHAWAT, J. (ORAL)

1. The petitioner has filed the present petition under Section 482 of Cr.P.C. with a prayer to direct official respondents to hold the inquiry into the incident of beating of the petitioner in jail on 31.10.2023.
2. In compliance of the last order dated 14.12.2023, passed by this Court an additional affidavit has been filed of Mr. Arun Pal Singh, Additional Director General of Police, (Prisons), Punjab, Chandigarh on behalf of State of Punjab, and the same is taken on record.
3. Learned State counsel submits that Sukhminder Singh Maan, IPS, DIG, Prisons (Amritsar Circle) Punjab had not conducted the inquiry in a fair

and proper manner. Consequently, a fresh inquiry was ordered to be conducted and Mr. Roop Kumar Arora, Inspector General of Prisons, Punjab has now been appointed as Inquiry Officer to inquire into the matter to take on record the correct affidavits with regard to the incident. Even the Inquiry Officer has held the inquiry and the inquiry report (Annexure R-1) dated 19.12.2023 has been prepared in the present case.

4. As per learned State counsel, on the basis of findings recorded by the Inquiry Officer, Superintendent, Central Jail, Hoshiarpur has been placed under suspension vide order dated 19.12.2023. A further letter has been written to the Secretary to Government of Punjab, Department of Jails, for initiating the departmental proceedings against Superintendent, Central Jail, Hoshiarpur and Mr. Amritpal Singh, Additional Superintendent, Central Jail, Hoshiarpur. He further contends that the Departmental proceedings are being initiated against the delinquent officials namely Sh. Chaman Lal, Assistant Superintendent, Central Jail, Hoshiarpur and Sh. Satnam Singh, Assistant Superintendent, Central Jail, Hoshiarpur under Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970. A further letter has already been written to Deputy Inspector General of Police (Amritsar Circle) to initiate departmental proceedings against the delinquent officials namely Rajinder Kumar, Head Warder No.4514, Satnam Singh, Head Warder No.4528, Dheeraj Kumar, Head Warder No.3535, Rajinder Kumar, Warder No.4704, Jaswant Singh, Head Warder No.3269, Keshav Bawa, Warder No.4738 and Rajanpreet Singh, Warder No.4761 under Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

5. Learned State counsel further submits that since Deputy Inspector General of Police (Amritsar Circle) is also facing departmental proceedings in the present case, the inquiry shall be conducted by Deputy Inspector General of Police (Patiala Circle) against the delinquent officers. He further submits that a letter has been written to the Senior Superintendent of Police, Hoshiarpur for registration of the FIR against the accused persons who were found involved in beating the inmate i.e. the present petitioner. He further submits that a show cause notice has already been issued to Sh. Inderjeet Singh, ADA for not watching the CCTVs footage while drafting the reply. He further submits that to enquire the safety and security of the inmate namely Sh. Harinder Pal Singh @ Hinda, s/o Inderjit Singh (petitioner), he shall be shifted to Central Jail, Kapurthala within a period of one week from today. Apart from that, a letter has already been written to the Secretary to Government of Punjab, Department of Jails for initiating departmental proceedings against Sh. Sukhminder Singh Mann, IPS, Deputy Inspector General of Prisons (Amritsar Circle) on 1912.2023.

6. I have heard learned counsel for the parties and perused the record.

7. From the affidavit filed by Additional Director General of Police, Prisons, Punjab, Chandigarh, this Court is of the considered opinion that proper and necessary legal as well as disciplinary action has already been taken in the present case. It is expected that various inquiries against the delinquent officials shall be conducted in a fair and impartial manner and shall be concluded at the earliest in accordance with law. No further directions are required, the present petition is accordingly disposed of.

8. Needless to say that the petitioner shall be at liberty to invoke alternate remedies available to him in accordance with law.

(N. S. SHEKHAWAT)
JUDGE

21.12.2023
M.Sikka

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