



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

**Reserved on : May 16, 2024
Date of Decision : May 20, 2024**

CRM-M-6243-2022 (O&M)

Tarachand

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Argued By : - Mr. J.P. Sharma, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.

By way of this petition filed under Section 482 Cr.P.C., petitioner prays for directing the respondents to register First Information Report regarding commission of cognizable offence and to transfer the investigation from Police Station Khol, Rewari to CBI for conducting fresh and proper investigation.

2. According to the petitioner, his son Lalit (deceased) left the village on 25.06.2021 at about 6.30 p.m. with Ashutosh S/o Vijendra and Krishna S/o Mahendra, residents of the same village. Petitioner had made a telephonic call to his son on same day, who told that he was with Ashutosh, Krishna and others and that he will return back soon. Later on, Lalit did not return. In the morning of 26.06.2021, dead body of Lalit was



found at the railway track. Inquest proceedings were conducted by the police. In the postmortem examination, as many as 26 injuries were found on his person. The cause of death was opined to be ante-mortem injuries as described in the PMR, which were caused by blunt force and dragging force and that the presence of blackish greasy material over the body and clothes were suggestive of the incident having taken place on railway track.

3. Petitioner alleges that proper investigation has not been conducted by the police and that matter has been hushed up by concocting a story to save the skin of the culprits.

4. In the detailed status report filed by the respondent-State, it is submitted that petitioner had made a complaint to the Superintendent of Police Railways Haryana, Ambala against police officials of GRP, Rewari and also for conducting investigation through CBI. The complaint was entrusted to DSP, Railway (Hr.), Hisar, who conducted the detailed inquiry. Statement of Ashutosh, who had accompanied the deceased on 25.06.2021 was also recorded and it was revealed that they alongwith others had consumed liquor. The others had left prior to 9.30 p.m. after having liquor. Only the deceased and Aushutosh were left. At around 9.30. p.m., Ashutosh received a call from his father and then he too left. He invited deceased Lalit to accompany him, but deceased decided to stay at that place as he wanted to drink more. Status report reveals further that the above said statement of Ashutosh was supported by the call



details record of his mobile. The concerned gang man was also involved in the inquiry. After holding the inquiry, it was concluded that it was a railway track accident.

5. The latest status report filed by way of affidavit dated 24.02.2024 of Deputy Superintendent of Police, GRP, Faridabad also reveals that no cognizable offence is made out. The final report has been prepared and submitted before the competent authority.

6. Having considered submissions of learned counsel for the petitioner and after going through the status report accompanied by detailed inquiry report, this Court does not find any ground so as to issue any direction. As such, this petition is hereby disposed of with liberty to the petitioner to avail alternative remedy available to him in accordance with law including approaching the Jurisdictional Magistrate, in case he is not satisfied with the inquiry report, in view of the law laid down by Hon’ble Supreme Court in “*Sakiri Vasu v. State of U.P. and others*”, (2008) 2 SCC 409 and “*M. Subramaniam and another v. S. Janaki and another*”(2020) 5 CTC 464.

May 20, 2024
Sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:	Yes
Whether reportable:	No