

**CRM-M-8929-2020****1****IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH****CRM-M-8929-2020****Date of decision : May 17, 2024**

Sukhwinder Pal Singh

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ramesh Kumar Jha, Advocate, for the petitioner
Mr. Pardeep Bajaj, DAG, Punjab
Mr. Amandeep Saini, Advocate, for respondent No.5

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, filed under Section 482 Cr.P.C., a prayer has been made for constituting Special Investigation Team (SIT), or to entrust the investigation of case FIR No. 14 dated 9.2.2020, under Section 302 IPC, registered at Police Station Anandpur Sahib, to the CBI or some other Independent Agency, or Crime Branch, for the purpose of fair and impartial investigation regarding the honour killing of petitioner's brother and his wife (Jagjit Singh and Bhavika).

2. This is a case of unfortunate untimely death of a couple, who had performed inter-caste marriage on dated 20.1.2020, with their own free will and consent. The petitioner *inter alia* alleges through this petition that it is a case of honour killing, where

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petitioner's brother Jagjit Singh and his wife Bhavika, have been murdered, and no sincere efforts have been made by the local police even to trace the dead body or to arrest the culprits who have committed this crime. Rather the petitioner and his family members are being harassed at the instance of respondent No. 5-Rajesh Kumar. Earlier in the FIR (*supra*), the investigation was carried out by the local police, and a cancellation report was filed before the learned Illaqa Magistrate concerned on dated 9.12.2023. However, the same was not accepted by the learned Illaqa Magistrate concerned and further investigation was ordered. Considering the fact that further investigation has been ordered, this Court directed the Senior Superintendent of Police concerned, to immediately constitute an SIT of Senior Officers, and thereupon, after conclusion of the investigation conducted by the SIT, the personal affidavit was called vide order dated 9.1.2024. In compliance to the directions (*supra*), the status report by way of affidavit sworn by Sh. Gurneet Singh Khurana, Senior Superintendent of Police, Rupnagar has been filed by the State on dated 7.5.2024.

3. From the status report, it is revealed that in compliance with the order (*supra*), vide order dated 16.1.2024, an SIT consisting of Superintendent of Police (Headquarters), Rupnagar, Superintendent of Police (Investigation), Rupnagar, Deputy Superintendent of Police, Sri Anandpur Sahib, was constituted, to

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carry out thorough investigation into the matter and to submit a report, regarding the same. The matter was further investigated by the SIT, and as per the SIT, there is no evidence of abetment, or threatening by any one, to the deceased Jagjit Singh and Bhavika, for committing suicide and the SIT concluded that it was not a case of murder, rather it was a case of suicide on account of their relations being not accepted by the family of Bhavika, and SIT has not found any evidence for abetment. The relevant extract of the status report (*supra*) reads as under:-

“That, it is further submitted that the SIT has endorsed the investigation carried out by earlier SIT headed by Superintendent of Police (PBI), Rupnagar and from thorough investigation carried out by the SIT, no evidence of killing Bhavika and Jagjit Singh (brother of the petitioner) by anyone including respondent no.5 has come into light. It has been further reported by the SIT that during investigation of the case even no evidence of abetting or threatening by anyone to Bhavika and Jagjit Singh for committing suicide has been surfaced. It is further submitted that dead body of deceased Bhavika was found from the Bhakhra canal and it has been established that the cause of death of Bhavika was asphyxia due to drowning, however, the body of the Jagjit Singh could not be found.

That, it is further submitted that after thorough investigation, the SIT has recommended

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to present cancellation report in the FIR No.14 dated 09.02.2020, registered under Section 302 IPC, at police Station Shri Anandpur Sahib, at the instance of respondent no.5-Rajesh Kumar and the recommendation of the SIT has been accepted by the Senior Superintendent of Police, Rupnagar, and the answering respondent is going to file the cancellation report in the present case shortly, before the court of competent jurisdiction.”

4. In view of the above, the SIT has already completed the investigation, and submitted the cancellation report, before the learned Illaqa Magistrate concerned. Therefore, no further direction is required to be passed in the instant matter.

5. However, the petitioner is at liberty to file an appropriate motion before the learned Illaqa Magistrate concerned, in case, the grievance still exists, with regard to the cancellation report, as filed by the SIT.

6. **Disposed of accordingly.**

May 17, 2024**'tiwana'****(KULDEEP TIWARI)
JUDGE**