

CRM-M-18091-2022
Date of decision: 04.03.2024

...PETITIONER

V/S

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. D.S. Malwai, Advocate for respondent No.6.

HARPREET SINGH BRAR J. (ORAL)

Prayer in the present petition filed under Section 482 is for issuance of a direction to respondent Nos.1 to 3 to conduct a fair investigation into the murder of the son of the petitioner, who had died under unnatural circumstances on 11.12.2018.

2. Learned counsel for the petitioner *inter alia* contends that the son of the petitioner suffered only one injury on the head and the same cannot be the result of any accident and the investigating agency has only recorded a DDR No.07 dated 12.12.2018 at Police Station Nathana, District Bathinda. Thereafter, the petitioner moved an application before the concerned SHO on 17.01.2019 (Annexure P-7) and he is suspecting the role of private respondents and he has also referred to the alleged call details between the son of the petitioner and these persons that they were consistently in touch with each other on the date of incident and the jurisdictional police authorities have completely failed to investigate into the matter.

3.

Learned counsel for respondent No.6 submits that the veracity of the allegations, made by the petitioner, was duly examined by Special Investigating Team headed by Superintendent of Police, in which, the petitioner had appeared and also examined total 06 witnesses and the petitioner has not challenged the finding of the Special Investigating Team.
4.

Learned State counsel submits that the matter was thoroughly investigated by Special Investigating Team and the Board of Doctors have also given opinion that the injury suffered by the son of the petitioner could be due to roadside accident and further submits that initially, the petitioner had not raised any suspicion on anybody and it is after a delay of more than 01 month that the petitioner has raised suspicion on private respondents and there is nothing on record to doubt the conclusion drawn by the Special Investigating Team, which was constituted on the complaint filed, on the request of the husband of the petitioner.
5.

Having heard learned counsel for the parties and after perusing the record, this Court finds no ground for issuing any directions for conducting re-investigation into the incident, that has taken place on 11.12.2018, as the Special Investigating Team has already concluded investigation and on the basis of opinion of the doctor, it has been concluded that the son of the petitioner had died due to roadside accident.
6.

Accordingly, the present petition, being devoid of any merits, stands dismissed.

March 04, 2024

manisha

(HARPREET SINGH BRAR)

JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No