

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

258

CRM-M-45079-2017 (O&M)
Date of Decision : May 01, 2024

AMRIK SINGH -PETITIONER

V/S

STATE OF PUNJAB AND ORS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Akshay Kumar, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. The instant petition highlights a very unfortunate incident, wherein, murder has been committed of a mother and her two teenage sons. What has propelled the petitioner to access this Court, through the instant petition, is the purported unprofessional approach of the police officials concerned in conducting the investigation of the murder of his daughter-in-law and two minor grandsons. Consequently, the petitioner seeks issuance of directions for transferring the investigation of FIR No.167 dated 27.09.2017 (Annexure P-1), registered at P.S. Garhshankar, District Hoshiarpur, to some independent investigating agency.
2. In addition, the petitioner also seeks issuance of directions upon the respondent No.4 to initiate departmental action against the respondent No.6- S.H.O., Police Station Sadar Nawanshahar, for gross dereliction of his duty, inasmuch as, on account of extraneous considerations, he let off the main accused Sandeep @ Deepa without

proper interrogation.

3. Since the instant petition was filed in the year 2017, therefore, much water has flown now, inasmuch as, the learned counsel for the petitioner has informed this Court that his first prayer becomes infructuous, as during pendency of the instant petition, not only the investigating stood completed, but the accused has also been convicted by the learned trial Court, vide verdict of conviction dated 19.12.2019.

4. The learned counsel for the petitioner submits that although his first prayer becomes infructuous, however, he may be granted the relief as craved in his second prayer, i.e. directing the respondent No.4 to initiate departmental action against the errant official, i.e. respondent No.6- S.H.O. concerned.

5. In his asking for the relief (supra), the learned counsel for the petitioner submits that had the respondent No.6 acted in a professional and diligent manner, and, had he not let off the main accused Sandeep @ Deepa without proper interrogation on 17.09.2017, two lives could have been saved.

6. To substantiate his argument (supra), the learned counsel for the petitioner submits that, when on 12.09.2017, the petitioner's daughter-in-law along with her two sons left his house without informing anyone, the petitioner got lodged a missing report on 14.09.2017 at P.S. Sadar Nawanshahar and he had disclosed the name of Sandeep @ Deepa as the suspect. In pursuance of this missing report, although Sandeep @ Deepa was joined investigation on 17.09.2017, however, he was easily let off by the respondent No.6-S.H.O. concerned, on the same day, which resulted

in him causing murder of his petitioner's daughter-in-law and grandsons.

7. The learned counsel for the petitioner submits that, consequent upon finding the dead body of Jaskaran Singh (petitioner's elder grandson), FIR No.160 was registered on 16.09.2017 at P.S. Bagana, District Una, H.P., whereas, consequent upon finding dead bodies of Jaspal Kaur and Dilpreet Singh (petitioner's daughter-in-law and grandson), the present FIR was registered on 27.09.2017. Therefore, if Sandeep @ Deepa was not easily let off on 17.09.2017, the lives of Jaspal Kaur and Dilpreet Singh could have been saved.

7. Although the learned counsel for the petitioner claims that death of Jaspal Kaur and Dilpreet Kaur could have been avoided if Sandeep @ Deepa was not easily let off on 17.09.2017, however, when this Court posed him a specific query as to whether the death of Jaspal Kaur and Dilpreet Kaur occurred after or before 17.09.2017, he could not make any response thereto. Consequently, when it is unknown as to when the death of Jaspal Kaur and Dilpreet Kaur had occurred, therefore, the argument (supra) of the learned counsel for the petitioner pales into insignificance, rather is a misplaced argument.

8. Moreover, when the trial has already concluded in conviction of the accused, besides when the learned trial Court concerned has not observed anything regarding the conduct of the police officials concerned, especially about biasedness or lackluster approach of the respondent No.6- S.H.O. concerned, this Court refrains from granting the asked for relief.

9. In summa, when there is dearth of any cogent material on

record, which may even remotely be suggestive of respondent No.6’s dereliction, this Court deems it appropriate to close the instant petition, as no direction is warranted.

10. Disposed of accordingly.
11. Pending applications also stand disposed of accordingly.

May 01, 2024
devinder

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No