

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

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CRM-M-23086-2024

Date of Decision : July 09, 2024

JASWINDER SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. S.S. Cheema, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 28.05.2024, a Co-ordinate Bench of this Court had passed the hereinafter extracted order upon the instant petition:-

“Status report by way of affidavit of Ravinder Singh PPS, DSP (City) Moga, District Moga on behalf of respondents No. 1 to 5 has been filed. The same is taken on record. Copy supplied to the counsel opposite.

Learned State counsel has invited attention of this Court to para Nos.8 & 9 of the status report, which read as under:-

8. That in the meantime, on 07.12.2023 petitioner Jaswinder Singh got recorded his statement with the police that on 08.08.2021 his sister-in-law Rupinder Kaur made a telephonic call to him and informed that Gurbinderpal Singh had done wrong act with her and now he is unconscious. On receiving the message he alongwith his cousin Suba Singh reached there at about 6 PM. Rupinder Kaur informed him that she went to the Doctor at 2 PM and after taking medicine at about 4.30 PM she returned back at the house and she found that bathroom was locked

from inside and minor son of the landlord opened the door of the window forcibly and they found that Gurbinderpal Singh was lying unconscious and blood was coming out from the left eye. At about 6 PM in-laws family of Gurbinderpal Singh reached here. They all tried to take the dead-body of the deceased for cremation, but complainant got conducted the postmortem of the deceased by saying that as Gurinderpal Singh was government officer so his postmortem is essential. Initially regarding death of Gurinderpal Singh proceedings u/s 174 Cr.P.C. were initiated on the basis of statement of Rupinder Kaur vide DDR No.17 dated 09.08.2021. However as per postmortem report of Gurinderpal Singh there were total 12 injuries on his body. When on the basis of suspicion they verified from the Doctor Vinod Garg, he informed that on Sunday he used check the patients upto 12:00 noon Only. Complainant further mentioned that he was fully confident that Rupinder Kaur in connivance with her family members have committed the murder of Gurbinderpal Singh. On the basis of said statement case bearing FIR No.273 dated 07.12.2023 under section 302/34 IPC Police Station City Moga has been registered against Rupinder Kaur wife of Late Gurinderpal Singh, Germon Singh son of Pargat Singh, Harman Singh son of Pargat Singh and Pargat Singh.

9. That for conducting the thorough investigation of the case Special investigating Team consisting of SP (PBI), Moga, DSP (City) Moga and SHO PS City Moga has been constituted vide order no: 1585-1589-R-SSP dated 12.12.2023 passed by SSP, Moga Investigation of the case is going on."

In the considered opinion of this Court, it will be apt if the SIT be headed by an officer not below the Rank of IPS Officer.

State is directed to file status report on the adjourned date.

Adjourned to 09.07.2024."

2. In deference to the order extracted hereinabove, the learned State counsel has filed a status report, on affidavit of Ravinder Singh PPS, Deputy Superintendent of Police (City), Moga, District Moga, which is taken on record.

3. A perusal of this status report makes revelations that, in compliance of the order extracted hereinabove, the Director, Bureau of Investigation, Punjab, Chandigarh, has constituted a new S.I.T. consisting of (i) Randhir Kumar, IPS, Superintendent of Police (Detective), Ferozepur (Chairman); (ii) Balkrishan Singla, PPS, Superintendent of Police (Detective), Moga; and (iii) Ravinder Singh, PPS, Deputy Superintendent of Police (City), Moga. This S.I.T. has been constituted vide Order No.7226-31/CR-LA-2 dated 18.06.2014.

4. The details of investigation, as became carried out by the newly constituted S.I.T., have been encapsulated in the hereinafter extracted paragraphs No.5, 6 and 7 of the status report (supra).

“5. That during investigation of the case, Senior Medical Officer, Moga was requested to give the clear cause of death in connection with the present case, after examining the medical record thoroughly. On the basis of said request, the Senior Medical Officer, Moga has constituted a Board of Doctors consisting of Doctor Karan Mittal and Doctor Harpreet Kaur of Civil Hospital, Moga. After examining the medical record, the Doctors have given their opinion that “Death in this case, is due to asphyxia as result of strangulation and shock and haemorrhage injuries in the Postmortem report.”

6. That during investigation of the case, on 21.06.2024 accused Rupinder Kaur has been arrested by the police. During investigation of the case, on 23.06.2024 accused Rupinder Kaur

got recorded her disclosure statement with the police that her husband Gurbinderpal Singh was drug addicted. Her son was suffering from health problems, due to which she saved money for the treatment of her son. However, deceased Gurbinderpal Singh had stolen said amount saved by Rupinder Kaur. Due to which dispute was arisen between Rupinder Kaur and Gurbinderpal Singh. Due to which she had committed the murder of her husband by strangulating him with the help of lower (trouser). Thereafter by wearing the shoes of deceased Gurbinderpal Singh and caused total 12 injuries on his chest and other body parts. Accused Rupinder Kaur also got recovered said shoes under 27 of Indian Evidence Act.

7. That however, as remaining accused succeeded to conceal themselves at some secret place, so proclamation proceedings against them have been initiated and warrants of arrest against them have been issued for 15.07.2024. Investigation of the case is being conducted by SIT in accordance with law.”

5. In view of the above, since the investigation is progressing in its right direction, therefore, no further direction is required to be passed at this stage. Consequently, the instant petition is closed.

6. Disposed of accordingly.

July 09, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No