



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

CRM-M-5013-2022 (O&M)

Date of Decision: 20.01.2025

PRAMOD KUMAR GUPTA

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mukul Goyal, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed seeking issuance of directions to respondent No. 4(CBI) to conduct fresh, fair and impartial investigation of incident dated 09.06.2021, in which petitioner's brother was murdered by using iron wire as weapon by respondents No. 5 and 6.

2. Learned counsel for the petitioner *inter alia* contends that from the very beginning, faulty and tainted investigation has been carried out by the jurisdictional police authorities and the board of doctors have opined that brother of the petitioner has suffered a homicidal death and it is not a case of suicide and there has always been a dispute between his brother Trilok Chand and his wife due to her illicit relationship and brother of the petitioner has been murdered by his wife and her paramour and even the supervisory officer did not agree with the finding of the Investigating Officer and asked him to re-investigate and also to take into consideration the call details record, whatsapp chat and conversation between the petitioner, his brother, his sister-in-law and her paramour and further he refers to the photographs of the deceased and the *dupatta* hanging on the window of the house and corresponding ligature mark visible in the

photographs and further one of the Investigating officer who was inquiring into the matter has conducted the spot inspection in presence of the petitioner and he has informed the petitioner that from this height, it is not possible to commit suicide and the said Investigating Officer was abruptly removed from the investigation.

3. *Per contra*, learned State counsel submits that veracity of the allegations made by the petitioner have been thoroughly examined and opinion of the board of doctors have been obtained and even the call detail record and conversation in whatsapp chat have been gone into and nothing incriminating has been found. The allegations made by the petitioner were found to be false and the jurisdictional police authorities have concluded the investigation and presented the cancellation report before the jurisdictional Court on 10.11.2021 and the petitioner has equally efficacious remedy to file a protest petition and pursue his case before the jurisdictional Court.

4. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the said occurrence had taken place on 09.06.2021 and statement of the petitioner was duly recorded and he had not raised any suspicion on anyone and the jurisdictional police authorities have concluded the proceedings under Section 174 Cr.P.C. and thereafter on 18.07.2024, the petitioner made a supplementary statement, in which for the first time, he has raised suspicion against his sister-in-law and further the opinion of the Medical Board and the doctors does not indicate that the brother of the petitioner has suffered a homicidal death and rather it is a case of suicide and further

the specific issue raised by the petitioner with regard to examination of phone of the deceased, his wife, her paramour and of the petitioner have also been done by the jurisdictional police authorities, but nothing has come on record to prove the allegations levelled by the petitioner and the investigating authorities have concluded that it is not a case of strangulation. The jurisdictional police authorities have concluded in the present case that the petitioner is making allegations due to the dispute between the parties after the death of his brother and his sister-in-law has already lodged one FIR under the provisions of Sections 498-A and 406 of Indian Penal Code against the petitioner.

5. In view of the above, the present petition is devoid of any merit and the same is hereby dismissed.
6. Pending CRM(s), if any, are also disposed of accordingly.

20.01.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No