



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

**CRM-M-37858-2023 (O&M)
Date of Decision: 19.02.2025**

TILAK RAJ

...Petitioner

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

Present petition has been filed under Section 482 of Cr.P.C. seeking issuance of directions to respondents No. 2 and 3 to take appropriate legal action against respondents No. 4 and 5 and other suspected persons in case bearing FIR No. 53 dated 05.05.2021 registered under Section 302 of Indian Penal Code at Police Station Division No. 1 Jalandhar.

Learned counsel for the petitioner submits that the short reply dated 23.08.2023 clearly indicates that Prince Narula intended to meet the deceased on the date of incident and further an application was filed before the concerned Court on 17.03.2022 for seeking permission to conduct narco analysis and brain mapping test of the abovesaid Prince Narula, however, he refused for the same and it is an admitted fact that son of the petitioner had died due to asphyxia and 07 injuries are also found on his person.

Learned State counsel submits that the petitioner in fact has passed away and the Investigating Agency has concluded the investigation and filed the untraced report before the Court concerned.

Learned counsel for the petitioner affirms the fact that petitioner has died, however, he submits that petitioner's wife has the right to pursue other remedies, being his legal heir and is interested to pursue the matter.

Having heard the learned counsel for the parties and after perusal of the record the present petition is disposed of with a direction to learned trial Court to consider the untraced report alongwith three status reports filed on behalf of respondent No. 1 on 23.08.2023, 01.05.2024 and 10.10.2023. The jurisdictional Police authorities are directed to produce the aforementioned status reports before the Court concerned and learned trial Court shall decide the case after considering all the aforementioned status reports, untraced report and other facts and circumstances of the case, in accordance with law, after affording an opportunity of hearing to the mother of the deceased, as expeditiously as possible.

(HARPREET SINGH BRAR)
JUDGE

19.02.2025
Ajay Goswami

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