



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

257

CRM-M-54528-2024 (O&M)

Date of decision: 26.08.2025

Amanveer Kaur

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ranjan Lakhanpal, Advocate for the petitioner(s).

Mr. I.P.S. Sabharwal, DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for directing the respondents to provide information to the petitioner regarding Bagicha Singh s/o Paramjit Kaur and as to whether he is alive or not as his whereabouts are not known.
2. Learned counsel for the petitioner contends that the petitioner herein is niece of Bagicha Singh and that a Criminal Writ Petition No.238 of 1993 was filed by Paramjit Kaur. Notice of motion had been issued in the said petition but the whereabouts of Bagicha Singh could not be known. The said petition was eventually disposed of vide order dated 08.10.1993 whereby the respondents had been directed to conduct an inquiry regarding whereabouts of Bagicha Singh from a gazetted officer. Thereafter an application is stated to have been filed by the petitioner before the trial Court for entering mutation in her favour and she claimed that Bagicha Singh was no more since he had not been heard for last 7 years and above.



3. He submits that the present petition has now been filed for seeking directions to the respondents to provide information to the petitioner regarding Bagicha Singh and as to whether he is alive or not.

4. A short reply by way of affidavit dated 15.01.2025 of Sh. Bharat Bhushan, PPS, Deputy Superintendent of Police, Phagwara, District Kapurthala had been filed on behalf of respondent No.1, wherein it has been acknowledged that consequent upon the directions issued by this Court to inquire into the matter, FIR No.123 dated 30.12.1997 had been registered at Police Station Sadar Phagwara under Section 364 IPC against ASI Gurdev Singh, who was heading the police party. Paramjit Kaur had approached this Court vide CWP-14166-1994 for seeking directions to CBI to investigate the said FIR. The case was hence transferred to CBI. The said ASI was arrested by the CBI and he was convicted. The sentence of the said ASI was suspended after having undergone 04 years out of 07 years of sentence and that he passed away on 03.01.2022. It is also stated therein that an inquiry into the whereabouts of Bagicha Singh was marked to Sh. Gurdip Singh, SP (HQ), Kapurthala, who conducted the inquiry and submitted his report in the Court on 28.04.1995. The said inquiry report was not accepted by this Court and it was observed to be a perfunctory inquiry. It is further averred that in the meanwhile the record pertaining to the year 1992 and 1993 already stands destroyed as per Rules 11.36 and 11.39 of the Punjab Police Rules.

5. Under the given circumstances, since the record no more exists and ASI Gurdev Singh, who had been arrested and prosecuted, has already



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passed away, hence, no further inquiry can be conducted. In so far as the contention of the petitioner about a presumption of death with respect to Bagicha Singh is concerned, she would have an appropriate remedy by way of filing an appropriate civil suit for such a declaration.

6. The present petition is accordingly **dismissed** warranting no further action.

7. Liberty is however granted to the petitioner to take recourse to an appropriate proceeding as per law.

(VINOD S. BHARDWAJ)
JUDGE

26.08.2025

Mangal Singh

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