IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(222)

CRM-M-59618-2023 (O & M)
Date of decision: 29.08.2025

Sarabjit Kaur

…... Petitioner

V/s

State of Punjab and ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. G.S. Bal, Sr. Advocate,
with Mr. Avtar Singh, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

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JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for handing over the investigation of case FIR No.47 dated 20.03.2023 under Section 302 IPC, Police Station Baghapurana, District Moga to an independent agency.

2. The learned Senior counsel for the petitioner contends that Jaswinder Singh suffered a homicidal death. However, the investigating agency has not investigated the case in a proper manner. Even the I.G. Faridkot has filed a reply dated 18.04.2024 which has not considered the facts in its proper perspective. Therefore, the investigation ought to be handed over to the CBI.

3. The learned counsel for the State, on the other hand, contends that the deceasd-Jaswinder Singh died on 25.06.2020. However, initially, no

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complaint was made by the family members of the deceased. It was only after the post-moretm that a complaint was made naming Arshdeep Singh son of Gurpreet Singh and Gurpreet Singh son of Gurcharan Singh. However, it was found that, in fact, no offence was made out. Subsequently, the DSP(D) Moga, investigated the case for the first time and found that no offence was made out. Thereafter, this Court had ordered Inspector General of Police, Faridkot to personally look into the matter and he has come to the conclusion that the deceased has suffered an accidental death by suffering injuries while going into a water tank. Therefore, a recommendation to file an untraced report has been made by the Inspector General of Police, Faridkot.

4. I have heard the learned counsel for the parties and examined the record.

5. A perusal of the same would reveal that the occurrence took place on 25.06.2020. However, initially, no complaint was made by the family members of the deceased-Jaswinder Singh. Later, an FIR came to be registered wherein allegations were levelled against the aforementioned persons. The investigation was initially conducted by the DSP(D) Moga, who found that no offence was made out. Subsequently, this Court vide order dated 11.03.2024 directed the Inspector General of Police, Faridkot to personally look into the matter. The same has been done and an affidavit dated 24.09.2024 has been filed by him as per which it was found to be a case of an accidental death. The reasons given in the report are completely plausible. Even otherwise, there is absolutely no reason for the Inspector

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General of Police, Faridkot to not have conducted a fair investigation. He has also recommended that an untraced report be filed.

6. In view of the above, I find no merit in the present petition and the same stands dismissed. However, the petitioner-Sarabjit Kaur, wife of the deceased-Jaswinder Singh is at liberty to avail her remedies in accordance with law.

7. The pending application(s), if any, shall stand disposed of accordingly.

August 29, 2025 **(JASJIT SINGH BEDI)**
sukhpreet **JUDGE**

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

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