
(2000) 05 P&H CK 0082

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. 13672-M of 2000

Hanso Devi

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 30-05-2000

Acts Referred:

Citation : (2000) 4 AICLR 238 : (2000) 3 RCR(Criminal) 348

Hon'ble Judges : A.S.Gill, J

Advocate : Mr. K.S. Dadwal, Advocate. Mr. Yashpal Singh, AAG, Haryana.,
Advocates for appearing Parties

Judgement

A.S. Gill, J.

1. Heard learned counsel for the parties.

In the instant petition, the grievance of the petitioner, who is the mother of the deceased Sunil Mehra, is for transfer of investigation by an independent agency like C.B.I. in respect of murder of her son. The allegations are that on the fateful day, Sunil Mehra, who had come from Army where he was employed, had gone to bring his wife Anita who was a police Constable in Haryana Government posted at Sonapat but within a minute's time he was found hanged near the office of this wife. The petitioner lodged an F.I.R. alleging that it was a case of murder on account of proximity of the office of the wife of the deceased in connivance with ASI Bhim Singh. Thereafter, the investigation was taken up. However, the petitioner was not associated during the investigation at any point of time besides the other Lady Constables who were eye witnesses of the alleged incident were not examined as witnesses rather they have been pressurised and harassed not to open their mouth.

It is contended in the petition that the height of the deceased was 170 cm which comes to 5'8" as specified by the Army authorities whereas in the post mortem report, height was shown 5" only and with that height the deceased could not have died because almost in that case the deceased could be standing on the

ground.

2. In the reply filed by the state, it is indicated that the deceased was prone to the committing of suicide as earlier also he once tried to commit suicide while he was serving in the army and he had fled away from the hospital as he was suffering from mental depression and as such it was a case of suicide and the police has already filed a case for cancellation of the report in which notice has been issued to the petitioner by the trial Court.

3. In view of the facts disclosed above and material placed on record, this Court is fully satisfied that a detailed inquiry/investigation is required to be gone into. In these circumstances, it is directed that the Superintendent of Police, C.B.I., Chandigarh may take up the investigation of this case. The file of the investigation shall be entrusted to the S.P., C.B.I., Chandigarh. The petitioner may submit copy of the petition alongwith all the annexures placed on record of the petition to the S.P., C.B.I., Chandigarh. The investigation shall be completed within four months from the date of receipt of a certified copy of this order.