

(2019) 02 CHH CK 0396

Chhattisgarh High Court

Case No: WPCR No. 439 Of 2018

Premlata Singh

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Feb. 21, 2019

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Surfaraj Khan, Aditya Sharma

Final Decision: Disposed Of

Judgement

Goutam Bhaduri, J

1. Heard.

2. Learned counsel for the petitioner submits that one Dharmendra Kumar Singh died unnatural death on intervening night of 30 th & 31st of May

2016. He further submits that as per the report made by the petitioner the deceased was called by Birbal and Fekuram to consume liquor. They

thereafter went to one house of Birbal and the next date his dead body was found outside the house of Birbal in suspicious condition, the postmortem

was carried out and as per the FSL the deceased had consumed Ethyle Alcohol and Monochropotas which is a pesticide, therefore, the death in

unnatural circumstances having been taken place the police was bound to investigate the same irrespective of the fact of the out come as to who is

responsible for it.

3. Perused the FSL report dated 15/07/2016. The FSL report of the deceased shows that it contains the Ethyle Alcohol and Monochrotopas which is a

pesticide. Under the circumstance the death do not appear to be natural irrespective of the fact that who is responsible and caused such death or it is

self made, the police was bound to investigate the matter. The police cannot shirk its responsibility despite the fact of FSL report is on record.

Therefore, in view of the law laid down in the matter of Lalita Kumari v. Government of Uttar Pradesh & others {(2014) 2 SCC 1} since the

cognizable offence is registered the police is directed to register the FIR as per the Annexure P-1 lodged by the petitioner which was received by the

Superintendent of Police Surajpur and thereafter investigate the same in accordance with the law.

4. With such observation, the petition stands disposed of.