

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

S.L.P. (Cr1) No. 2532 of 2000@@  
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Pardeep Kaur ...Petitioner

Versus

State of Punjab & Ors. ...Respondent(s)

O R D E R~@@  
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This special leave petition has been filed against the impugned judgment of the Punjab and Haryana High Court. One Paramjit Singh alleged to have died in police custody. As no criminal action was taken against the errant officers notwithstanding the fact that Paramjit died in police custody, the petitioner approached the High Court for appropriate direction to proceed against the errant police officers.

The High Court, on consideration of the material that was placed before it, came to the conclusion that it was not possible to proceed against any of the police officers against whom allegations had been made, and accordingly did not grant the relief sought for. The High Court, however, during the pendency of the writ proceedings called on the CBI to inquire into the matter and the CBI inquired into the matter and submitted a report with its recommendations. The CBI in no uncertain terms came to the conclusion that the abduction, wrongful confinement and torture of Paramjit, by the then SHO

Narinder Pal Singh is established. But, since Narinder Pal Singh himself was killed, it is not possible to take any criminal action against the said main accused and, consequently, against the other police officers who were supposed to supervise the acts of Narinder Pal Singh.

Pursuant to the notice issued by this Court, counter-affidavits have been filed and on perusing the assertions made therein as well in the petition, and having regard to the report furnished by the CBI, though we agree that the question of taking any criminal action against any of those police officers would not arise at this stage, but there cannot be any dispute that the family members of the deceased are entitled to compensation, particularly, when the CBI came to the conclusion that the deceased was wrongfully abducted, kept in confinement and was tortured also.

The learned counsel appearing for the State submitted that the State has evolved a principle and, therefore, an application for compensation should be filed in accordance with that principle. We are, however, not persuaded to pursue that remedy available to the legal heirs of the deceased. Having regard to the facts and circumstances of the present

case, we direct that a total amount of compensation of Rs. 6 lakhs may be awarded to the legal representatives of the

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deceased Paramjit Singh. This amount may be paid within a period of four weeks from today.

The special leave petition accordingly stands disposed of.

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.....J@@  
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( G.B. PATTANAIAK )@@  
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New Delhi;  
December 10, 2001

.....J@@  
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( BRIJESH KUMAR )@@  
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.PA  
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ITEM No.37

Court No. 3

SECTION IIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 2532/2000

(From the judgement and order dated 16/09/1999 in CRLWP 1513/96 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

PARDEEP KAUR Petitioner (s)

VERSUS

STATE OF PUNJAB & ORS. Respondent (s)

( With Appln(s). for c/delay in filing SLP )  
( With Office Report )

Date : 10/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK  
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Ashok Aggarwal, Adv.  
Mr. M.A.Chinnasamy, Adv.

For Respondent (s) Mr. Jaspal Singh, Sr. Adv.  
Mr. R.S. Suri, Adv.  
Mr. Jagjit Singh Chhabra, Adv.  
Mr. Chandra Bhushan, Adv.

Mr. P.N. Misra, Sr. Adv.

Mr. Sudhir Walia, Adv.  
Mr. Mahinder Singh Dahiya, Adv.

UPON hearing counsel the Court made the following  
O R D E R

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Delay condoned.

The special leave petition is disposed of in terms of  
the signed order.

.SP1

(J.S. Rawat)  
Court Master

(Suneet Bala Sharma)  
Court Master

(Signed order is placed on the file)