

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****W.P(PIL) No.6 of 2017**

In Reference Of Courts On Its Own Motion Regarding Death Of Vikas Patel Surendra Patel S/o Shital Prasad Patel Auto Riksha Chalak, R/o Gandhi Nagar, Turrapani, Ambikapur, District Surguja Chhattisgarh M. No. 09826152180, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Home Department, Raipur Chhattisgarh., Chhattisgarh
2. Superintendent Of Police, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- **Respondents**


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| For Petitioner :           | Shri Sunil Otwani, Advocate.            |
| For Respondent No.1/State: | Shri YS. Thakur Addl. Advocate General. |
| For Respondent No.2:       | Shri Sourabh Dangi, Advocate.           |

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**Hon'ble The Chief Justice****Hon'ble Shri Justice Sanjay Agrawal****Order on Board****Per Ajay Kumar Tripathi, Chief Justice****31/08/2018**

1. After all the monitoring and directions having been issued by this Court in this Public Interest Litigation, nothing in terms of evidence has emerged to show that death of one Vikas Patel was a case of homicide and not suicide. In view of the same, the police have done what is required to be done from the material and evidence they have gathered. However, the observation of the Court which was recorded on 19.01.2018 with regard to the duty cast upon the Investigating Officer as well as the Executive Magistrate to hold enquiries in cases of unnatural death has been adequately highlighted. Obviously, the failure on the part of the police to hold magisterial enquiry was

because of lack of proper training or suitable supervision by the superior authorities, who could have guided them to ensure compliance of the process and procedure laid down under the Cr.P.C.

2. Learned Additional Advocate General representing the State Government informs the Court, which is also accepted by learned Amicus Curaie that appropriate directions have now been issued to all the police stations of the State and mechanism for training has also been put in place and the police authorities are being sensitized as to their obligations and duties cast under the Cr.P.C in such situations.

3. In view of above, this Public Interest Litigation is now required to be disposed off. The same is accordingly disposed off.

4. The Court records its appreciation for the effort and hard work put in by the Amicus Curaie in the matter.

Sd/-  
(Ajay Kumar Tripathi)  
**CHIEF JUSTICE**

Sd/-  
(Sanjay Agrawal)  
**JUDGE**