

Justice Ranjit Singh
Judge (Retd.)
Punjab & Haryana High Court,
Chandigarh

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Chandigarh
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Former Chairman,
Debt Recovery Appellate Tribunal,
New Delhi and of Inquiry Commission
constituted to inquire into incidents of sacrilege in the State.

January 28, 2020

To

The Hon'ble Chief Minister,
Punjab,
Chandigarh.

Wife of late Surjit Singh of village Behbal Kalan, District Faridkot, had contacted me on phone a few days ago to inform me about the sad demise of her husband. He was a key witness in firing incident at Behbal Kalan. As per family, Surjit Singh was harassed by some persons and agencies for making statement about the facts in his knowledge regarding the police firing incident at Village Behbal Kalan. The family is of the firm view that Late Surjit died due to being under stress because of his continued harassment by various persons and departments, including police.

In fact, late Surjit Singh had approached me on more than one occasion in this regard and each time I had spoken to the concerned quarters to attend to his grievances. I remember that I had spoken to S.S.P., Faridkot and the Electricity Department in this regard.

Remaining dissatisfied, Surjit Singh had turned back to me again and again, I finally advised him to file a petition before High Court when other methods had failed. For this I had arranged legal help for him. In fact he had been apprehensive of his fate while appearing before the Commission, which is reflected in the record of proceedings of the Commission.

Being a key witness, the Commission had summoned Surjit

Singh to appear before the Commission to give statement and since he did not appear despite being summoned, his presence was procured through non-bailable warrants. While recording his statement on 01.01.2018, he was asked about his reluctance to appear and make statement before the Commission, when he stated as under:-

"Gurchet Singh Dhillon, Akali leader of village Bargari had approached him for not making any statement before Justice Jora Singh Commission telling that Amarjit Singh, the then SHO, Bajakhana was his brother-in-law (cousin brother of his wife). Despite this, I appeared before the Commission and made a truthful statement. On account of this, I had suffered at the hands of police. My land is adjoining the land of some persons from village Bargari (named Tej Singh and others). They forcibly cultivated part of land by joining it with their land with the JCB Machine. I went to the police station to report this matter when ASI Sukhdarshan Sharma at Police Post Bargari told me to now take help from Justice Jora Singh. Till date, I have not been heard by anyone. I have left this to my fate. Even now, the police has told me that they will procure copy of my statement made before the Commission and then tackle me. Fearing the police highhandedness, I was reluctant to make statement as earlier when police was not listening to me, I had approached Justice Jora Singh through phone who simply told me that he had apprised the DGP about this fact. I, however, received no help or assistance despite this. I had represented before the Human Right Commission also but nothing has happened."

Taking serious view, the Commission had issued the following directions:-

"The Commission has taken the serious view of the issue and has viewed this action by the police as interfering in the functioning of the Commission as well as in the cause of Justice. The witnesses who appeared before the Commission are required to be assured about their personal security and liberty so that can depose before the Commission without any

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fear. It is noticed that the police is using all means to threaten the witnesses or to lure them otherwise so that they do not come out with the truthful account before the Commission. The Commission, therefore, decides to bring this aspect to the notice of the Government especially the Chief Minister and the DGP to ensure that witnesses are not harassed for appearing before the Commission. The Commission also decides to request the DGP and the Home Secretary to ensure adequate security of the witness. In order to ensure this, there is a need to issue directions to SSP, Faridkot making him personally responsible for security of this witness and to see that his complaint made by the witness to the police is attended to in accordance with law and justice is done to him. The Commission also decides to write to Human Rights Commission as well as Lokpal for taking action against the police officials responsible for acting in this manner against the witness who has acted to help the cause of justice."

The concern expressed by the Commission apparently has not received requisite attention. The police and the administration seems to have continued with their ¹trade against Surjit Singh without taking action on his complaints. Without any doubt, late Surjit Singh was very important and key witness to help the cause of justice. He was an eye witness and had given very relevant and vital statement before the Commission. As already noticed above late Surjit Singh had approached me on more than one occasions and every time I had made efforts to attend to his grievances. He had carried a serious grudge against one Manjinder Singh of his village and the Electricity Department which had imposed fine on him on the asking of influential persons. Seeing no departmental help coming to him, I had even arranged advocate for him to file petition before the High Court for which he had signed necessary papers. He was in the process of collecting requisite documents to file petition, when he has left this world.

I think we are all responsible for failing the cause of justice being insensitive to the plight of this person who suffered at the hands of police because he had helped the cause of justice. We can now bless his soul by taking action against all those who had harassed him no ends and against

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whom he had filed complaint and also against those who have failed to listen to him and attend to his grievances.

(RANJIT SINGH)