

IN THE SUPREME COURT OF INDIA

Writ Petition (Crl.) of 2014

Surat Singh  
S/o. Kehar Singh  
R/o. Village Baniya Kheda  
Tehsil Safidon  
District Jind  
Haryana

Versus

State of Haryana

1. This is the case of the rape and murder of XXXXX, aged 20 years which took place on 24.8.13 and which shocked the conscience of the people of Haryana. The investigation is being done by the Haryana Police in such a negligent manner that it is clear that the police are shielding some important persons. As a result of the criminal negligent and deliberate inaction on the part of the police and despite important evidence turning up pointing towards murder and rape, even one year after the murder all that the police can do is to come up with the theory of suicide. Hence this petition seeking that the investigation be transferred to the CBI for further investigation.
2. XXXXX left her residence at Bhaniya Kheda in Jind at about 12 noon on 24.8.13 to take a bus to go for her Junior Basic Training

(JBT) examination to be held at Government Girls Senior Secondary School at Jind. She never turned up there.

3. On the same day i.e. 24.8.13 at about 4 p.m. the father of the deceased Shri Surat Singh received a telephone call from the mobile of his daughter informing him that the mobile and other materials of his daughter were discovered. The speaker identified himself as Rajkumar. The phone was disconnected. The father therefore went to the Pillukhera police station where the police made a call to Rajkumar's number, spoke to Rajkumar and obtained his address. The father then took a resident of the village with him and went to meet Rajkumar at village Amarahedi, Jind. From Rajkumar the father recovered the mobile phone and other materials that his daughter was carrying with her when she went for the examination. Rajkumar informed the father that the materials were found on the banks of the Amarahedi canal. He shows the place where the material was found to the father and to the police but at night nothing could be found.
4. On the next morning i.e. 25.8.13 the father received a call at 8 a.m. from Mukesh, a relative, that the body of his daughter has been found on the banks of the canal. He and persons from the village and the police reached the spot where the body was lying. The dress of the deceased was blood stained. It appeared as if the blood had come from the private parts of the deceased. There was blood on the feet of the deceased. It appeared that the ankle was

fractured. An additional pair of slippers not belonging to the deceased was found near the body.

5. The body was taken in a police vehicle to the General Hospital, Hisar. The female members of the family inspected the body and saw the blood stains and the state of the body and it clearly appeared to them as if sexual assault had taken place. There were cigarette burns on the chest and several other parts of the body.
6. The Death Report Made by Police Official SI. Azad Singh dated 25.08.2013 is stated as under:

NUMBER 25.35 (1) B

DEATH REPORT-UNNATURAL DEATH DUE TO VIOLENT MEANS

DEATH REPORT NO:

PS: JIND CITY

DATE: 25.08.2013

DISTRICT: JIND

1.	Name of the place where the incident occurred (write in detail)	Janiv Two kilometers in the north near Chitang canal
2.	Distance and direction from	Janiv north about two

	that police station where the death occurred or the dead body was found	kilometers.
3.	Date and time when the occurrence of death was known	25-8-2013 at 7:50 am
4.	Name and fathers name of those two people who know the dead body that the above dead body is of that particular person  Note: two relatives of the deceased or two witnesses known to the deceased should be got.	<p>1. Ajmer s/o rajkumar. Caste chamar r/o barsola</p> <p>2. Vakil s/o rishal singh chamar r/o baniya khera</p> <p>3. Mahendra singh s/o kehar singh chamar r/o bania khera</p> <p>4. Balraj s/o rajkumar caste chamar r/o karsola</p>
5.	Name of the deceased , fathers name, caste, residence and status	Kafi d/o surat singh caste chamar, r/o bania khera
6.	Age, male or female	Female, 20 years
7.	Condition of the dress worn	Top of pink color on the

	<p>and the ornaments etc. And symptoms that the above articles have been removed by force or any signs of it being soaked in blood</p> <p>Note: if the opinion is of any civil surgeon or any the medical officer examining the dead body then in that case the description be completed by that officer after the examination of the dead body.</p>	<p>body and the pajama, white vest, pantie on the waist of naswari color, nose pins in the nose, blood is there on the legs and calf.</p>
8.	<p>Condition of the body parts, eyes an the face</p>	<p>Eyes opened, mouth opened, body erected and numb, deadness on the face.</p>
9.	<p>Shape and size of the face</p>	<p>Deadness on the face.</p>
10.	<p>Marks and injuries present on the dead body. Scars an injury along with their location shape and size be written.</p>	<p>Skin is removed near the righ breast, mark of friction near the left breast, blood is there on the bottom of the right leg.</p>

	Note: deepness be noted down too, it is prohibited to poke anything into the injuries, if the opinion is of any civil surgeon or any the medical officer examining the dead body then in that case the description be completed by that officer after the examination of the dead body.	
11.	Whether the blood is in liquid state or coagulated from where and how much has it come out.	Blood is coagulated, and is coming out from the calf and bottom of the right leg
12.	Of which type of arm ammunition do these injuries seem to be caused by.	Not known
13.	Whether any rope or anything else was tied in the neck or whether there is any mark of tying on the neck.	Not there
14.	Whether this rope or	Not there

	anything else was used to strangle or if the body was hanged to this then whether it is that strengthful that it could bear the weight of the body and where the other end of it tied and with what.	
15.	Whether any foreign substance like grass or etc. Was there in the hairs of the deceased or in his fist or was present on any other part of the dead body.	Not there
16.	Whether the deadbody is of some healthy and strong person or is it of some thin-lean and weak person.	Healthy girl
17.	Whether it is strong or weak and decayed	Is strong
18.	Length from head to toe	About five foot
19.	Marks of identification, description of face, marks or	Skin is removed near the right breast, mark of friction

	injury or scar marks etc. There location and description.	near the left breast, blood is there on the bottom of the right leg.
20	Known cause of death	Unknown reason
21	Whether any such condition exists or any rumor from which it is known that the deceased has committed suicide.	Not there
	Brief description of the case	Copy of fir is attached  Sd/-  Ps jind city  Dated 25/8/13
Placement of each of the articles found near the dead body.		
22	Whatever stuff found on the dead body (eah such thing would be attached with a slip and be stamped) which were sent with the deadbody or were sent separately.	As per coloumn no. 7
23	The articles found near the	Not there



.	dead body. (each such article be attached with a slip and be stamped.)	
24.	The stamp which has been marked above and the letters marked on it and the khasra map of that place.	

7. The post mortem report dated 25.8.13 found "hymen ruptured" and in addition stated as under:

PMR/SC/MS/46/13

B- CRANIUM AND SPINAL

The spinal Cord need not be examined unless any indication of disease or injury exists

5. scalp,skull and vertebrae ( Healthy,Not opened) Incesion Given)

6.Memberances-Brain,spinal Cord (Healthy Not Opened)

III- THORAX

<p>1.walls, rits and cartilages (Healthy)</p>	<p>Local examination:- Injuries+Genital examinations</p> <ul style="list-style-type: none"> <li>-Pubic hair and axillary hair well developed, dark black colored. size 1 to 1.5 cm in length</li> <li>-breast developed, Abraded constrain size 2.3 cm x 0.8cm (70 Bite mark) present on right side medial margin of right side breast.</li> <li>-multiple Abrasion size varying from 0.5 x 0.2 cm to 2.1 cm x 0.8 cm present in both lower leg and foot, around ankle and foot. Blood stained present.</li> <li>-Anal area stool present.</li> <li>-Pubic Hair Dark black colored, not matted with discharge.</li> <li>-slightly whitish discharged present near the lower part vagina.</li> <li>-no injury seen at labia Majora and labia minora, perineum, hips and thighs.</li> <li>-white discharge present around labia majora and minora and out of vagina.</li> <li>-cotton soap taken from labia minora, labia majora, perineum, oral mucera, rectal mucera, sent for chemical examination.</li> <li>-labia minora and labia majora well developed, heyman ruptured, admitting one finger.</li> <li>-uterus normal size sent for hysteroscopy examination.</li> </ul>

8. The post mortem report had the following outline showing the injuries:

“breast developed, Abraded constrain size 2.3 cm x 0.8cm (70 Bite mark) present on right side medial margin of right side breast.

-multiple Abrassion size varying from 0.5 x 0.2 cm to 2.1 cm x 0.8 cm present in both lower leg and foot, around ankle and foot. Blood stained present.

slightly whitish discharged present near the lower part vegina.”

9. Mysteriously the body was sent for a second post mortem and the report dated 27.8.13 stated as under:

**DEPARTMENT OF FORENSIC MEDICINE**

PT. B.D. SHARMA POST-GRADUATE INSTITUTE OF MEDICAL  
SCIENCES, ROHTAK

POST-MORTEM REPORT No. 13/8/71

Dated: 27.8.13

Name: Kafi                      Age: 20 years                      Sex: Female

Father's Name: Surat Singh

OR

Husband's name: -

Caste: Chamar                      Residence: Baniya Khera

P.S. : City Jind                      Distt. Jind

Body brought by :            1. SI Azad Singh, 295H

2. HC Narender Singh, 29U Jind

Vide Case FIR/DD No.681 Dated: 25.8.13 U/sec 302/376 IPC

P.S. City Jind

District: Jind

Body identified by :

1. Vakil S/o Risal Singh (Mama of deceased)

2. Mahender Singh S/o Kehar Singh (Uncle of deceased)

Whence brought: Village, thana, district: Pattri of Chitar Neher 2

k.m. due north of P.S. City Jind, Jind.

Referred by: On written request of father of deceased forwarded by  
Civil Surgeon, Jind and order by DC, Jind

DATE AND HOUR OF

Discovery of death	Examination of body	Dispatch of material for chemical examination
On 25.8.2013 at 7:50 a.m.	27.8.2013 11:45 a.m.	-
Appearance of symptoms of poison or disease	(received FSL reports videographer at 11:30 a.m. on 27.8.13)	-
Symptoms observed before death	-	-
Information furnished by Police: (Apparent cause of death as per Inquest Report Column No. )		
Unidentified Reason		

N.B.:- The Medical Officer will observe the state of all the organs and when he finds no disease or injury, he should write in the appropriate place the word "Healthy".

19. **EXTERNAL APPEARANCE**

Length of body : 153 cms

Mark of ligature on neck and dis-section, etc. : Nil

## **POST-MORTEM REPORT**

### 3. Condition of subject, clothing & post-mortem changes etc.:

Received a dead body of a female individual wrapped in a blue plastic sheet. The body was naked except for a white metallic kadda & 2 (two) white & red holy threads with white metallic beads tied around left wrist. The body was found to be already dissected (as described in PME/SC/MS/46/13 dated 25/8/13 by M.O. G.H. Jind Annexed as a part of police paper of this case) i.e. midline incision over thorax & abdomen with stitches & loops of the grit protecting out through which sutures had been passed. This incision extended upto the sternal angle only. A second incision in transverse place over the forehead extruding from right to left mid points of respective supra or orbital arches with retrieval applied. The skull had not been opened nor scalp inspected in the previous autopsy. Body was emitting foul smell. Maggots of size 0.5 to 2.5 cm crawling over the body at places. Skin peeling seen over the flanks, arms; Hairs were partially degloved. Post mortem bullas present over the flanks. Chest walls (breast) were tense. Scalp was black, 20-25 cm long, tied in a 'chotti' with an elastic hair band plucked off or slight traction. Eye balls putrefied. Facial features distorted. Lips apart with tongue protruding out. Pubic hair curly black, 3-4 cm long.

On further dissection, the midline incision was found to be only superficial in the upper chest area. There was a midline incision on the neck, placed vertically and anteriorly. The lower two cost sternal

attachments were found to be cut. Rest of the sternum had not been dissected.

Injuries (Type, size, shape, location & direction etc.):

- 1) Diffuse reddish contusion over right temporoparietal region of the scalp, of size 8\*6 cm situated 4 cm from midline and 2 cm from tip of right ear. On dissection underlying tissue were ecchymosed; slight pericranial infiltration was seen in the underlying skull and suture (eight squamosa temporal suture). The brain was greyish pasty with slight haemorrhage streaks.
- 2) Diffuse reddish contusion over right upper chest wall of size 4\*3 cm placed over the right clavicular area (supra) situated 6 cm from midline and 3 cm from anterior axillary line. On dissection underlying tissues were ecchymosed.
- 3) Reddish abraded contusion over the right breast of size 1.5 \* 1 cm situated 1 cm from medial border of nipple and 4.5 cm from midline. On dissection underlying tissues showed effusion.

## II. CRANIUM AND SPINAL CORD

N.B.:- The spinal Cord need not be examined unless any indication of disease or injury exists.

Scalp	Described
Skull	Described
Vertebrae	Healthy
Membranes	Intact
Brain	Described
Spinal Cord	Not opened

4) Reddish diffused contusion of size 2\*1.5 cm present over the front of right lower leg over the shin area 11 cm below the knee in the middle. On dissection underlying tissues were ecchymosed.

5) Reddish diffuse contusion of size 2x2 cm present over the front of right lower leg in midline over the shin area, 2.5 cm below injury no. 4 dissection underlying tissue was ecchymosed.

6) Reddish diffuse contusions of size 1.5 x 1 cm present over the shin area of front of right leg midline 4 cm below injury no. 5. On dissection underlying tissue was ecchymosed.

7) Reddish diffuse contusion of size 2.5x1 cm present over the dorsum right foot over the base of third toe situated 10.5 cm from ankle ioinina. Underlving

Walls	Described
Reibs and Cartilages	Healthy & described
Pleurae	Decomposed
Larynx and Trachea	Decomposed
Hyoid	Intact
Lungs Right – Left	Decomposed On cut section, blood tinged fluid erudite
Pericardium	Decomposed
Heart	Right side full & left side empty



#### IV. ABDOMEN

Wall	Described
Peritoneum	Described
Mouth, Pharynx and Oesophagus	Described Decomposed
Stomach and its contents	Already dissected out of the pest
Small Intestine & the contents	Post-mortem exa- mination at GH, Jind as per police papers and out for chemical analysis.
Large Intestine & the contents	
Liver	
Spleen	
Kidneys	Left Kidney – Sert for chemical analysis as vide supra. Only right kidney present and congested on cut section
Bladder	

On inspection of the genital  
region –

Labii lax, Hymen present  
however lax, admitting two  
fingers with difficulty.  
Reddish diffuse testis

**HANDED OVER TO POLICE:**

Duly stitched body after completing autopsy.

A copy of the Post-Mortem Report No. PME/13/8/71 dated 27.8.13

Police (Inquest) papers 1 to 14 in number duly initiated by me/us.

A sealed parcel bearing 3 seals containing clothing & belongings of deceased.

A sealed packet bearing 2 seals containing cotton swab from right nipple for salivary stains.

A sealed packet bearing 10 seals containing viscera for chemical analysis in separate bottles each being duly labled & sealed (F.S.L. Madhuban (Karnal) sent.)

An envelope bearing 5 seals addressed to the Director, F.S.L., Madhuban (Karnal) containing (i) a forwarding memo & (ii) a copy of the Post-Mortem Report of this case (F.S.L. Madhuban (Karnal) sent.)

A sealed packet bearing 3 seals containing..... for DNA profile, if needed. (F.S.L. Madhuban (Karnal) sent.)

A sealed jar bearing 2 seals containing..... bones for diatom test.

Note: The Investigating Officer is instructed to collect about 1 liter of fluid from the place of death/ recovery of body and to

submit the same along with this jar containing bones for detection of diatoms & comparison thereof, if any (F.S.LW Madhuban (Karnal) sent.)

A sealed packet bearing 3 seals containing vaginal swab & smear for detection of spermatozoa (F.S.L. Madhuban (Karnal) sent.)

A sealed jar bearing 2 seals containing viscera ..... for histopathology. (Senior Professor and Head of Department, Pathology Deptt. PGIMS, Rohtak).

A sealed jar bearing 2 seals containing viscera ..... for histopathology. (Senior Professor and Head of Department, Pathology Deptt. PGIMS, Rohtak).

An envelope bearing 5 seals addressed to the Senior Prof. & Head, Deptt. of Pathology, PGIMS, Rohtak containing (i) a forwarding memo & (ii) a copy of the Post-Mortem Report of it is case (Senior Professor and Head of Department, Pathology Deptt. PGIMS, Rohtak).

Sample of the seal used (Fm)

Signature of the doctor conducting autopsy

(Signature of Police official)

Name: Azeent Singh

Rank: SI

P.P./P.S.: City Jind

(Dr. S.K. Dhalawal)

Professor Forensic Medicine

PGIMS Rohtak

Dated: 27.8.13

POST-MORTEM REPORT No. PME/13/8/71 Dated: 27.8.2013

10. As noted above the important and suspicious part of this report is the finding that the hymen was intact.

11. The outline of the body was as under in the second post mortem report dated 27.8.13:

“reproduce the outline .....

12. The first FSL report dated 29.8.13 stated, inter alia, as under:

**FORENSIC SCIENCE LABORATORY, HARYANA**

**MADHUBAN, KARNAL**

(An I SO/I EC 17025 Accredited Laboratory)

**Accredited By**

National Accreditation Board for Testing & Calibration Laboratories

1. Please quote the Report/Opinion No. & Date in case of any further correspondence or summons.
2. Report shall not be reproduced except in full, without written approval of the Director.

REPORT/ OPINION FSL (H) No. 13/B-6015

DATED : 29.8.13

To

The Dy. Supdt. of Police,  
(HQ), Jind

Your forwarding memo No.547-R dated 27.08.13 regarding Two sealed parcel (s) in connection with FIR No.681 Dated 25.08-13 Under Section 302/376 IPC Police Station City Jind stated by you to have been dispatched vide R.C. No. .... Dated ..... through Biology Division and received in this division on 28.08.13

Description of parcel (s) and condition of seal (s)

Two sealed parcel (s). The seal (s) on the parcel (s) were found intact and tallied with the specimen seal (s) as per forwarding authority's letter.

Description of article (s) and contained in parcel(s)

Parce	No. & Seal	Description of parcel(s)
I	impression	
No.		
2.	10-SC	One sealed cloth parcel enclosing a cardboard box containing following exhibits-

PMR No- SC/MS/46/13 dated 25.08.13

Viscera of deceased: Khaffi Devi D/o Surat

Singh

Exbt-2: Stomach, parts of small and large intestines.

Exbt-2b: Portions of each of lungs, liver, spleen and kidneys.

Exbt-2c: Blood from heart approx 2 ml.

Exbt-2d: Saline preservative approx 5 ml.

3. 1-SC One sealed glass vial containing exhibit-3.
- Exbt-3: A cotton, swab impregnated with some yellowish black stains stated to be oral/mucosal swab of the deceased, Khaffi Devi D/o Surat Singh

### **Laboratory Examination:**

Chemical test and techniques were employed to detect common gaseous and volatile poisons, inorganic ions, pesticides and drugs in exhibits-2a to 2d and 3. Based upon the examination carried out in the laboratory, the results are given as under:-

### **RESULTS OF EXAMINATION**

5. Aluminium phosphide was detected in exhibits – 2a, 2b, 2c and 3.
6. No common poison could be detected in exhibit-2d.

Note: (1) After examinations, the remnants of the exhibits were sealed with the seal with the seal of AD/CHEM/JR/FSL(H)

Sd/-

Dr. Jagdish Ram

Deputy Director

Forensic Science Laboratory

Madhuban, Haryana (Karnal)

13. The second FSL report dated 3.9.13 stated, inter alia, as under:

**FORENSIC SCIENCE LABORATORY, HARYANA**

**MADHUBAN, KARNAL**

(An ISO/I EC 17025 Accredited Laboratory)

**Accredited By**

National Accreditation Board for Testing & Calibration Laboratories

1. Please quote the Report/Opinion No. & Date in case of any further correspondence or summons.
2. Report shall not be reproduced except in full, without written approval of the Director.

REPORT/ OPINION FSL (H) No. 13/B-6015

DATED : 3.9.13

To

The Dy. Supdt. of Police,  
(HQ), Jind

Your forwarding memo No.555-R/DSP (H) dated 29.08.13 regarding Three sealed parcel (s) in connection with FIR No.681 Dated 25.08-13 Under Section 302/376 IPC Police Station City Jind stated by you to have been dispatched vide R.C. No. .... Dated ..... through Biology Division and received in this division on 30.08.13

Description of parcel (s) and condition of seal (s)

Three sealed parcel(s). The seal(s) on the parcel(s) were found intact and tallied with the specimen seal(s) as per forwarding authority's letter.

Description of article (s) and contained in parcel(s)

Parce No.	No. & Seal impression	Description of parcel(s)
9.	3-Fm	One sealed cloth parcel enclosing a newspaper further enclosing a polythene bag containing exhibits-9.  PMR No- PME/13/08/071 dated 27.08.13  Name of the deceased: Kafi D/o Surat Singh  Exbt-9: One white metallic (iron) bangle



(Chudi); a yellow metallic nose pin; a light yellow red coloured thread having four iron "Ghungru" stated to be the belongings of the deceased.

15. 1-DEPTT OF FORENSIC MEDICINE  
AIIMS NEW DELHI
- One sealed plastic jar containing exhibit-15.  
Exbt-15: Degloved skin from finger tips including nail beds from oth of the hands in some colourless liquid approx 400 ml.

16. 6-DEPTT OF FORENSIC MEDICINE  
AIIMS NEW DELHI
- One sealed jute/cardboard box containing exhibit-16.  
PMR No.1154/3013 dated 28.8.13  
Name of the deceased: Kafi D/O Surat Singh  
Exbt-16a: Some visceral material approx 700 gm stated to be stomach with contents, a piece of small intestine with contents contained in a sealed plastic jar sealed with one seal of DEPARTMENT OF FORENSIC MEDICINE, AIIMS, NEW DELHI.

Exbt-16b: Some visceral material approx 700 gm stated to be liver section, part of each kidney contained in a sealed plastic jar sealed with one seal of DEPARTMENT OF FORENSIC MEDICINE, AIIMS, NEW DELHI.

Exbt-16c: Saline preservative approx. 10 ml contained in a sealed plastic container ('dibbi') sealed with one seal of DEPARTMENT OF FORENSIC MEDICINE, AIIMS, NEW DELHI.

**Laboratory Examination:**

Chemical test and techniques were employed to detect common gaseous and volatile poisons, inorganic ions, pesticides and drugs in exhibits-9, 15, 16a, 16b and 16c. Based upon the examination carried out in the laboratory, the results are given as under: -

**RESULTS OF EXAMINATION**

1. Aluminium phosphide was detected in exhibits- 16a and 16b.
2. No common poison could be detected in exhibit-9, 15 and 16c.

Note:- (1) After examinations, the remnants of the exhibits were sealed with the seal of AD/CHEM/JR/FSL (H)

Sd/-

Dr. Jagdish Ram

Deputy Director

Forensic Science Laboratory

Madhuban, Haryana (Karnal)

14. The third FSL report dated 3.9.13 stated, inter alia, as under:

**FORENSIC SCIENCE LABORATORY, HARYANA**

**MADHUBAN, KARNAL**

(An ISO/I EC 17025 Accredited Laboratory)

**Accredited By**

National Accreditation Board for Testing & Calibration Laboratories

1. Please quote the Report/Opinion No. & Date in case of any further correspondence or summons.
2. Report shall not be reproduced except in full, without written approval of the Director.

REPORT/ OPINION FSL (H) No. 13/B-6015(contd.) DATED:3.9.13

CHEM No. CH-2159/13

To

The Dy. Superintendent of Police,  
(HQ), Jind

Your forwarding memo No.555-R/DSP (HQ) dated 29.08.13  
regarding Eight sealed parcel (s) in connection with FIR No.681 Dated

25.08.13 Under Section 302/376 IPC Police Station City Jind stated by you to have been dispatched vide R.C. No. 567 Dated 30.08.13 through EAST-Hawa Singh-766 and received in this division on 30.08.13.

Description of parcel (s) and condition of seal (s)

Eight sealed parcel(s). The seal(s) on the parcel(s) were found intact and tallied with the specimen seal(s) as per forwarding authority's letter.

Description of article (s) and contained in parcel(s)

Parce No.	No. & Seal impression	Description of parcel(s)
IX X	3-Fm	Forwarded to Chemistry Division as such in original for poison detection. Sealed cloth parcel containing exhibit-10a & 10b stated to be of Khaffi Devi. Exhibit- 10a.Two microscopic glass slides described as vaginal smear.
XI	2 Fm	Exhibit-10b.Cottonwool swab on sticks kept in a tube described as vaginal swab. Sealed airtight plastic container enclosing a small plastic container containing exhibit-11 stated to be of Khaffi Devi.  Exhibit-11 Cottonwool swab kept in an airtight plastic container described as cotton swab from right nipple of breast.

- XII 1-DEPTT OF Sealed airtight plastic container containing  
FORENSIC exhibit-12 stated to be of Khaffi Devi.  
MEDICINE  
AIIMS NEW Exbt-12: One cottonwool swab on stick descried  
DELHI as vaginal swab.
- XIII 1-DEPTT OF Sealed airtight plastic container containing  
FORENSIC exhibit-13 stated to be of Khaffi Devi.  
MEDICINE Exbt-13: One cottonwool swab on stick descried  
AIIMS NEW as anal swab.  
DELHI
- XIV 1-DEPTT OF Sealed airtight plastic container containing  
FORENSIC exhibit-14 stated to be of Khaffi Devi.  
MEDICINE Exbt-14: One cottonwool swab on stick descried  
AIIMS NEW as control swab.  
DELHI
- XV & Forwarded to Chemistry Division as such in  
XVI original for poison detection.

### **LABORATORY EXAMINATION:**

Laboratory examinations were carried out to detect the presence of semen/blood/saliva on exhibits performing Chemical tests & Microscopy.

Based upon these examinations, the results obtained are given below:-

1. Semen could not be detected on exhibit-10a (Vaginal smear slides), exhibit-10b (Vaginal swab), exhibit-12 (Vaginal swab), exhibit-13 (Anal swab) & exhibit-14 (Control swab).

2. Blood was detected on exhibit-10a (Slides), exhibit-10b (Vaginal swab), exhibit-12 (Vaginal swab) & exhibit-13 (Anal swab). However, blood could not be detected on exhibit-14 (Control swab).
3. Saliva could not be detected on exhibit-11 (Swab from right nipple of breast).
  1. After examinations, the exhibit (s) alongwith its/their original wrapper(s) has/have been sealed with the seal of SSO/RM/BIO. FSL (H).
  2. The result relates only to the items teste d above.
  3. Parcel No. IX. XV & XVI were forwarded to Chemistry Division as such in original for poison detection. Report in original from Chemistry Division is attached herewith.
  4. P-X (Exhibit-10b). Parcel No. XII & XIII were forwarded to Serology Division for serological analysis of blood. Report in original from Serology division is attached herewith.

Sd/-

(Richa Mehta)

Senior Scientific Officer (Biology)

Forensic Science Laboratory

Haryana Madhuban, (Karnal)

15. The fourth FSL report dated 3.9.13 stated, inter alia, as under:

**FORENSIC SCIENCE LABORATORY, HARYANA**

## **MADHUBAN, KARNAL**

(An ISO/I EC 17025 Accredited Laboratory)

### **Accredited By**

National Accreditation Board for Testing & Calibration Laboratories

1. Please quote the Report/Opinion No. & Date in case of any further correspondence or summons.
2. Report shall not be reproduced except in full, without written approval of the Director.

REPORT/ OPINION FSL (H) No. 13/B-6015; S-859/13 DATED:3.9.13

To

The Dy. Superintendent of Police (HQ),

Jind

Your forwarding memo No. Nil dated Nil regarding 1a, 1b, 1e, 10b, 12 & 13 sealed parcel(s) in connection with FIR No.681 Dated 25.08.13 U/S 302/376 IPC Police Station City Jind stated by you to have been dispatched vide R.C. No. Nil Dated Nil through Biology Division and received in this division on 30.08.13 and 02.09.13.

Description of parcel (s) and condition of seal (s)

..... sealed parcel(s). The seal(s) on the parcel(s) were found intact and tallied with the specimen seal(s) as per forwarding authority's letters.

Description of article (s) and contained in parcel(s)

Parce I No.	No. & Seal impression	Description of parcel(s)
1.	4-RM SSO(Bio) FSL(H)	It contained exhibit – 1a. Exhibit-1a. One pink colored salwar stained with brownish stains. FSL(H) Exhibit-1b. One tear & torned embroidered lady's shirt stained with few brownish stains. Exhibit-1e. One brown dupatta stained with several small size brownish stains.
10b.	3-RM SSO Bio FSL(H)	It contained exhibit-10b. Exhibit-10b. Two wooden sticks with cottonwool swab stained with light FSL(H) brownish stains.
12.	3-RM SSO Bio FSL(H)	It contained exhibit-12. Exhibit-12. Cottonwool swab stained with light brownish stains.
13.	3-RM SSO Bio FSL(H)	It contained exhibit-13. Exhibit-13. Cottonwool swab stained with light brownish stains.



## **LABORATORY EXAMINATION**

Laboratory examinations were carried out to detect the presence of blood on the exhibits through chemical tests. Blood thus detected was subjected to serological tests to determine its species of origin & group. Based upon these examinations the results are given below:-

1. Exhibit-1a (Salwar), exhibit-1b (Lady's shirt), exhibit-1e (Dupatta), exhibit-10b (Cottonwool swab), exhibit-12 (Cottonwool swab) and exhibit-13(Cottonwool swab) were stained with blood stains.

- NOTE: 1. Results of serological analysis of blood are attached herewith.
2. After the examinations the exhibits along with their original wrappers have been sealed with the seal of FSL(H) Sero.
  3. The results relates only to the items tested above.

Sd/-

DR. S.S. CHANDNA

Assistant Director (Serology)

Foransic Science Laboratory Haryana

Madhuban (Karnal)

16. The final opinion of the AIIMS dated 17.9.13 as under:

**DEPARTMENT OF FORENSIC MEDICINE & TOXICOLOGY**

**A.I.I.M.S NEW DELHI-29**

Dated: 17.9.2013

This is in reference to application submitted by inspector Balbir Singh, Special Investigation Team, Hisar, Haryana For opinion regarding the cause of death and whether there is any evidence of sexual intercourse in case of deceased Kofi D/O Sural Singh, Age- 20 yrs, Female; vide Departmental receipt no-229/13, dated 16/9/13. The following documents are submitted by the investigating agency were examined:

1. Post Mortem report of the deceased Kofi vide PM no-1154/13, dated 28/8/13
2. PMR of autopsy conducted at PGIMS, Rohtak vide PMR No 2013/8/71 dated 27/8/13
3. Chemical analysis of viscera report No. 13/.(FSL report no-FSL (H)No. 13/B-6015 dated 29/08/13. 5 HPE Report No.P-1094/ 13 vide path/13/1082, dated 03/9/13.
4. FSL report of biological fluid (serum and blood) report of clothes regarding various types of stains and their serological analysis. (FSL No. 13/B-6015 dated 29/8/13, FSL No. 13/B-6015; S-859/13 dated 3/9/13, FSL No. 13/B-6015 (contd.) dated 3/9/13. FSL No. 13/B-6015; S-859/13 dated 3/9/13.
5. Crime scene visit report of FSL team dated 25/8/13.

6. Opinion as to cause of death and forceful sexual intercourse by board of doctors GH, Jind dated 07/9/13.
7. Final report of second autopsy by board of doctors from PGIMS Rohtak Vide No. FMD/2013/1694, dated 14/9/13.

Final forensic opinion AIIMS PM No. 1154-2013 on 28/8/13

The complete and minute third autopsy was conducted by the Board of Doctors at AIIMS vide PM No. 1154-2013 on 28/8/13. No injuries could be appreciated over the body due to advanced stage of decomposition and artefacts. The AIIMS Board of Doctors perused the final report of Board of Doctors from PGIMS Rohtak, dated 14/9/13 and found nothing as per accepted Standard Principle of Medical Science to disagree with the opinion.

Sd/-  
Dr. Hari Prasad  
Senior Resident

Sd/-  
Dr. Tabin Millo  
Additional Professor

FORWARDED

Sd/- 17/9/2013  
Dr. Sudhir Kumar Gupta  
Professor & Head  
Deptt. Of Forensic Medicine & Toxicology  
AIIMS, New Delhi.

17. The report of Pt. B.D. Sharma, PGIMS, Rohtak, dated 14.9.13 is as under:

**DEPARTMENT OF FORENSIC MEDICINE. Pt. B.D. SHARMA**

**PGIMS, ROHTAK**

No. FMD/2013/1694

Dated: 14.9.13

To,

The Special Investigation Team,  
Hisar.

Subject :- Medical Board opinion in case of Kafi d/o Sh. Surat Singh r/o Bania Khera, Jind vide PMR No. /2013/8171 dated 27.08.2013 & FIR No. 681 dated 25.08.2013.

Kindly refer to your letter no. NIL dated 09.09.2013 regarding the subject cited above. The board who conducted the autopsy on the body of Kafi constituted of the following.

1. Dr. S.K. Dhatarwal, Professor Department of Forensic Medicine.
2. Dr. Luv Sharma, Professor Department of Forensic Medicine.
3. Dr. Aman Deep Kaur, Asstt. Prof., Department of Forensic Medicine.

The following documents were perused by the board:-

1. Police papers 1 to 14.
2. PMR of autopsy conducted at GH Jind (vide PME No. PME/ SC/ MS/46/13 dated 25.08.2013).
3. PMR of autopsy conducted at PGIMS, Rohtak vide PMR No. 2013/8/71 dated 27.08.2013.
4. Chemical analysis of viscera report No. 13/V-6015 dated 29.08.2013.
5. HPE Report No. P-1094/13 vide (Path/13/1082 dated 03.09.2013).

6. FSL report of Biological fluid (serum & blood) report of clothes regarding various types of stain & their Serological analysis. (FSL No. 13/B-6015 dated 29.08.2013, FSL No. 13/B-6015; S-859/1 dated 3.9.13, FSL No. 13/B -6015 (Contd.) dated 3.9.13, FSL No. 13/B-6015; S-859/13 date 3.9.13.
7. Opinion as to Cause Of Death & forceful sexual intercourse by board of doctors GH, Jind.
8. Crime Scene visit report of FSL Team dated 25.08.2013.
9. Crime Scene visit report of doctors from PGIMS, Rohtak dated 10 09.2013.

OPINION: After perusal of above said documents, board is of the opinion that :-

- (i) Cause of death in this case is Aluminum Phosphide poisoning as already opined by the board of doctors of GH, Jind.
- (ii) No definite opinion can be given regarding forceful sexual intercourse because hymen was intact and no spermatozoa were detected on chemical analysis.
- (iii) The Aluminum Phosphide poisoning in this case is suicidal in nature.

Sd/-	Sd/-	Sd/-
Dr. S.K. Dhatarwal	Dr. Luv Sharma	Dr. Aman Jeep Kaur
Deptt.of Forensic Medicine	Deptt. of Forensic Medicine	Deptt.of Forensic Medicine
Pt. B.D. Sharma PGIMS, Rohtak	Pt. B.D. Sharma PGIMS, Rohtak	Pt.B.D. Sharma PGIMS Rohtak

18. The report of Pt. B.D. Sharma, PGIMS, Rohtak, dated 9.9.13 is as under:

**DEPARTMENT OF FORENSIC MEDICINE, Pt. B.D. SHARMA  
PGIMS, ROHTAK**

No. FMD/2013/1656

Dated: 9/9/13

To,

The Special Investigation Team

Hisar.

Subject :- Medical Board opinion in case of Kafi d/o Sh. Surat Singh r/o Bania Khera, Jind vide PMR No. /2013/8/71 dated 27.08.2013 & FIR No. 681.

Kindly refer to your letter no. Nil dated 9.9.2013 regarding the subject cited above.

Keeping in view the Post Mortem report of Medical Officers G.H., Jind (No. PM R/SC/MS/46/13 dated 25.8.13 and Post Mortem Report of the undersigned board vide no. PME/13/8/71 dated 27.8.13) chemical analysis of viscera report no.13/B-6015 dt. 29.8.2013 (Chem-2159/13), HPE report no. P-1094/13 (vide No. Path/13/1082 dated 3.9.13) FSL report of the biological fluids (semen & blood), report of clothes regarding various type of stains and their serological analysis, (FSL No. 13/B-6015 dated 29.8.2013, FSL No. 13/B-6015; S-859/13 dated 3.9.13,

FSL No.13/B- 6015(Contd.) dated 3.9.13, FSL No. 13/B-6015; S-859/13 dated 3.9.13), the board concluded:

1. Board concurs with the opinion of the medical board of doctors of G.H, Jind i.e. Dr. Manju Jain & Dr. Sunil MO, G.H., Jind regarding cause of death in this case i.e. Aluminum Phosphide poisoning.
2. The Board will opine regarding forceful sexual intercourse and injuries present over the body of deceased after perusal of photographs of the deceased, FSL scene of crime report/visit of scene of crime and summary of police investigations in this case.

Sd/-	Sd/-	Sd/-
(Dr. S.K. Dhatarwal)	Dr. Luv Sharma	Dr. Aman Jeep Kaur
Professor	Professor	Professor
Deptt.of Forensic Medicine PGIMS, Rohtak	Deptt. of Forensic Medicine PGIMS, Rohtak,	Deptt.of Forensic Medicine PGIMS, Rohtak

**19.** The serological analysis of blood is as under:

**Forensic Science Laboratory, Haryana**

**Madhuban (Karnal)**

Report (Opinion) No. FSL.(H) 13/B-6015 S-859/13 Dated: 3/9/13

FIR No. 681

Dated: 25.08.13

U/S: 302/376 IPC

P.S. City Jind

**Results of serological analysis of blood**

<u>Sr. No.</u>	<u>Name of exhibit</u>	<u>Origin</u>
1a.	Salwar	Human
1b.	Lady's shirt	Human
1e.	Dupatta	Human
10b.	Cottonwool swab	Human
12.	Cottonwool swab	Human
13.	Cottonwool swab	Human

Sd/-

DR. S.S. CHANDNA

Assistant Director (Serology)

Forensic Science Laboratory Haryana

Madhuban (Karnal)



20. The conclusion dated 7.9.13 of the General Hospital, Jind is as under:

Police Department

District Jind

To,

MO Sir,( Incharge postmortem board)

General Hospital Jind

Subject: Opinion for PMR/SC/MS/46/13 Dated 25.08.2013.

Sir,

It is requested that Kafi Devi , D/o. Surat Singh, Cast. Unknown , Baniya kheda died due to consumption of (sulphus), kindly elaborate the nature of consumption of poison is; suicidal or accidental or Homicidal.

Sd/- Baler Singh Inspector

Special investiagtion team

Hisar

Date: 09/09/2013

## File Note

09/09/2013

10.00 a.m

-Aluminium phosphide (celphos) is mostly Suicidal at time accidental and rarely Homicidal. However the detail opinion regarding same will be given by forensic expert PGIMS Rohtak.

Sd/- Dr. Sunil

MO,GH,jind

9/9/13

Sd/-Dr. Manju

MO, GH, Jind

9/9/13

## 161 Cr.PC Statements

21. It is interesting to note that the police do not record Rajkumar's 161 statement.

22. The relevant part of the statement of Head Constable Sudesh Kumari is as under:

“today while investigating the matter at the crime spot in the bank of Chitang Canal where deceased Kafi’s dead body was found, from there two pairs of ladies slippers have been obtained out of which one pair of the slippers was of black color which the relatives stated to be of the deceased Kafi and the second pair of slippers of green color and old and seems to be of lady’s.

23. The relevant part of the statement of Baladevi is as under:

“I along with my neighbour Dulari W/o Raju Caste: Saini R/o Omnagar, near Sunrise School Jind was passing by this place after taking fodder for our cattles at that time one girl with a plastic bag in her hand was going silently near the canal bridge. At that time that girl was alone and no one was there with her. Both of us stopped to see that where does this girl go. At that time there were one or two boys present on the strip who were talking among themselves and that girl passed by them silently. No one questioned her and those boys remained engulfed in their talks only. This is

about in the afternoon day before yesterday. Then I and Dulari went back to our houses.

24. The relevant part of the statement of Dulari is as under:

"I along with my neighbor Bala W/o Dalbir Singh Caste: Naai R/o Omnagar, near Sunrise School Jind was passing by this place after taking fodder for our cattles at that time one girl with a plastic bag in her hand was going silently near the canal bridge. At that time that girl was alone and no one was there with her. Both of us stopped to see that where does this girl go. At that time there were one or two boys present on the strip who were talking among themselves and that girl passed by them silently. No one questioned her and those boys remained engulfed in their talks only. This is about in the afternoon day before yesterday. Then I and Dulari went back to our houses.

25. The relevant part of the statement of Sultan Singh is as under:

"That many a times phone used to be picked up by Kafi the daughter of the elder uncle pooja. She was studying j. Bt. To whom i was introduced over the telephone. She was sister in law of my brother

in relationship. We used to have regular conversation over the phone. That we had conversations over the phone for about a year. Whenever Kafi used to give a missed call to me i used to call her and converse with her. She used to talk about her studies most often. That she was pursuing J.B.T and i was pursuing M.A. ,B.ed. Once Kafi's mother had talked to my mother regarding our marriage at that time my mother had said until i get a job they would not accept the proposal. I used to tell Kafi regarding completion of the studies first. That about a month ago on my mobile no. 9896939848 i got a message from Kafi's mobile no. 9996998328, "please call me" but i did not call her. Then on 22.08.2013 Kafi messaged me on the phone that " what would be the use of calling me when i would die, you be happy". Then on 22.08.2013 when i called on Kafi's mobile number before the message then i said hello-2 but did not get any response after that the abovementioned message had come.

26. The relevant part of the statement of is as under:

“Once Kafi’s mother had talked to my mother regarding our marriage at that time my mother had said until i get a job they would not accept the proposal. I used to tell Kafi regarding completion of the studies first.”

Signed statements of family members who saw the body

27. The father of the deceased Shri Surat Singh, the nambardar of the village Shri Ishwar Singh, the sister in law of the deceased Smt Poonam and the nephew of Surat Singh and Shri Mukesh the relative of the family gave signed statements at Annexure .....to .....

Why the case be sent to the CBI for further investigation

- I. This case ought to be sent to the CBI for further investigation for the following reasons:
- a. Blood stains were found on her body and clothes as confirmed by the FSL report.
  - b. The section 161 Cr.PC statements of Baladevi W/o. Dalbir Singh and Dulari W/o. Raju indicate that she was seen near two men.

c. The statements of HC. Sudesh Kumari and HC. Hoshiyar Singh showed that there was another pair of slippers near the body of the deceased.