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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21096-2022 (O&M)

Reserved on : 11.08.2026

Date of Pronouncement : 27.08.2026

Uploaded on : 02.09.2026

Pronounced in Full

Ravjot Singh

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. R.S. Rai, Senior Advocate with
Mr. Karan Pathak, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

Mr. Premjit Singh Hundal, Senior Advocate with
Mr. Kanwar Harjinder Singh, Advocate and
Mr. Arshdeep Singh, Advocate for respondent No.2.

H.S. Grewal, J.

1. The present petition has been filed under Section 482 Cr.P.C., seeking quashing of FIR No.13 dated 21.01.2022, registered under Sections 306 and 511 IPC, at Police Station Phase-I, District SAS Nagar, Mohali, as well as the subsequent proceedings arising therefrom, including the challan dated 21.03.2022 (Annexure P-2) filed against the petitioner under Section 306 IPC.

2. The case of the prosecution is that Harpreet Singh, son of the complainant-Harjit Singh, had suffered a gunshot injury and was admitted to Cheema Hospital, from where he was thereafter referred to PGIMER, Chandigarh. It is alleged that, a few days prior to the incident, Harpreet Singh had informed his family that he had been called to House No.149, Phase-I,

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Mohali, where he was allegedly threatened, beaten and his mobile phone was also broken. It was further alleged that he and his father were compelled to apologise and were thereafter taken to the police station, where they were told that the matter could be compromised. The complainant further stated that the family members had subsequently decided that Harpreet Singh and the girl-Sarabjit Kaur would not meet each other.

3. During the course of the investigation and spot enquiry, it was found that one car bearing registration No.PB-65-A-3149 was parked in front of house No.1095, Phase-V, Mohali. Sarabjit Kaur was stated to be sitting on the driver's seat and Harpreet Singh on the adjoining seat. It was further alleged that another car, bearing registration No.PB-65M-9750, came from behind, in which the present petitioner, who is the husband of Sarabjit Kaur, was travelling. It is alleged that after parking his vehicle behind the aforesaid car, the petitioner approached the car in which Harpreet Singh was sitting and tapped on the window. The petitioner allegedly abused Harpreet Singh (deceased), and due to pressure exerted by Sarabjit Kaur and the petitioner (her husband), Harpreet Singh fired a shot from his licensed revolver at his temple, to end his life. Therefore, offence under Sections 306 and 511 IPC was allegedly made out against the petitioner as well as Sarabjit Kaur and the FIR was registered.

4. Thereafter, the matter was examined by the DSP, City-I, SAS Nagar, who associated the concerned parties as well as independent witnesses and considered their statements and the material available on record. It has been recorded in the enquiry report that Harpreet Singh had allegedly been subjected to beating and threats at the house of Sarabjit Kaur and was under

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considerable pressure. At the same time, it was noticed that Harpreet Singh and Sarabjit Kaur continued to remain in contact with each other. It is also recorded that Harpreet Singh, while narrating the incident to his friend Jaswinder Singh on 20.01.2022, had stated that he had been threatened by the petitioner and his family members on 11.01.2022 and in case anything happened to him, Rajvot Singh (present petitioner) would be responsible. However, the enquiry officer also specifically noticed that no material had surfaced regarding the participation of Rajvot Singh and the family members of Sarabjit Kaur in giving beatings to Harpreet Singh on 11.01.2022. Ultimately, after enquiry, Sarabjit Kaur was discharged from the case as nothing had surfaced against her and it has been recorded that she had no role in the death of Harpreet Singh but the petitioner remained as an accused in the present FIR and subsequently, challan was presented against him.

5. Learned Senior counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case and there is no incriminating evidence against the petitioner which would connect him with the alleged offence. It is further submitted that Section 306 IPC can be attracted only when there is abetment of suicide and the prosecution must show the existence of an act of instigation, intentional aid or participation in a conspiracy and there must be a clear and positive act on the part of the accused which was intended to provoke, encourage or facilitate the deceased to commit suicide. Mere allegations of pressure or quarrel, without a clear intention to push the deceased towards suicide, would not by themselves constitute the offence of abetment of suicide. It is further submitted by learned Senior counsel that there is no allegation or material showing that the petitioner had ever instigated



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Harpreet Singh to commit suicide or had intentionally aided him in doing so. There is also nothing on record to show any conspiracy between the petitioner and any other person for the commission of suicide. Learned Senior counsel has relied upon the enquiry conducted by the DSP, City-I, SAS Nagar wherein it has been specifically recorded that no facts had surfaced regarding the participation of the petitioner and the family members of Sarabjit Kaur in giving beatings to Harpreet Singh on 11.01.2022. Despite this, the police mechanically proceeded to present the challan against the petitioner without any fresh or independent material showing his involvement in the commission of the alleged offence. It is further submitted that the alleged video of the incident could not be obtained. Moreover, the enquiry report had already concluded that there was no material against Sarabjit Kaur and recommended her discharge from the case.

6. Learned Senior counsel further submitted that the allegations are inherently insufficient to constitute an offence under Section 306 IPC and that continuation of the proceedings would serve no useful purpose except causing unnecessary harassment to the petitioner. Learned counsel accordingly prayed that the impugned FIR along with all consequential proceedings arising therefrom, including the challan dated 21.03.2022, be quashed qua the petitioner in the interest of justice. In support of his submissions, he relied upon the judgment of the Hon'ble Supreme Court in the case of **Balaji Jaiswal versus State of Chhattisgarh and another**, arising out of SLP (Criminal) No.14640-2025, decided on 16.04.2026.

7. *Per contra*, learned State counsel, while referring to the reply filed by way of an affidavit of Ms. Prabhjot Kaur, PPS, Deputy Superintendent of

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Police, District SAS Nagar (Mohali), submits that the allegations against the petitioner are serious in nature and that the material collected during the investigation discloses sufficient *prima facie* evidence connecting him with the alleged offence. He further submitted that the role attributed to the petitioner is that the petitioner threatened and humiliated the deceased-Harpreet Singh on account of his relationship with Sarabjit Kaur. Learned State counsel further submitted that, significantly, the deceased had specifically expressed his apprehension that the petitioner would be responsible for his death in the event anything happened to him. According to the State, such material cannot be brushed aside and is a matter which requires proper appreciation during the trial. It is submitted that Sarabjit Kaur and the deceased had been in contact for several months prior to the occurrence and that the petitioner and his family members had become aware of their relationship. The investigation further revealed the use of a GPS tracker installed in the car of Sarabjit Kaur and that, on the basis of the location indicated by the tracker, the petitioner reached the place where Sarabjit Kaur and the deceased were present. It is also submitted that the deceased was sitting with Sarabjit Kaur in her I-10 car bearing registration No.PB-65-AY-3149, parked in Phase-V, Mohali. The petitioner reached the spot in his car, parked his vehicle behind the car of the deceased and thereafter went towards the side where the deceased was sitting. The petitioner allegedly abused the deceased and, shortly thereafter, the deceased shot himself with his licensed revolver. He, therefore, prayed for dismissal of this petition.

8. Learned Senior counsel for respondent No. 2 submitted that there are specific allegations connecting the petitioner with the alleged occurrence.

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The disputed questions of fact and the defence sought to be raised by the petitioner cannot be adjudicated upon in proceedings under Section 482 Cr.P.C. It is further submitted that respondent No. 2 had already moved an application under Section 173(8) Cr.P.C. seeking further investigation, and that the said proceedings are still pending. It is also submitted that the petitioner has an efficacious remedy to raise all his pleas before the competent Court at the appropriate stage. Accordingly, learned Senior counsel prayed for dismissal of this petition and for permitting the investigating agency to complete the further investigation in accordance with law.

9. I have heard learned counsel for the parties and carefully gone through the FIR, the material collected during the investigation, the enquiry report submitted by the DSP, City-I, SAS Nagar, the challan and the other material available on record.

10. Admittedly, this is an unfortunate case in which Harpreet Singh died after sustaining a gunshot injury from his own licensed revolver. The question which arises for consideration is whether, on the basis of the material collected by the investigating agency, the petitioner can legally be held responsible for abetting the deceased to commit suicide so as to attract the provisions of Section 306 IPC.

11. The allegations against the petitioner are that the deceased was sitting in a car with Sarabjit Kaur, who is the wife of the petitioner, and that the petitioner, on reaching the spot, approached the car and abused the deceased. It is also alleged that the petitioner and his family members had earlier threatened the deceased. However, there is no specific allegation that the petitioner had instigated the deceased to commit suicide. There is also no material to show

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that the petitioner intentionally aided the deceased in committing suicide or that he had entered into any conspiracy with any person for that purpose.

12. The conduct attributed to the petitioner, even if accepted in its entirety, may show that he was annoyed or agitated on finding the deceased sitting with his wife and he may have exchanged harsh or abusive words with him. However, such conduct cannot be equated with an act of instigation or intentional aid within the meaning of Section 306 IPC. In the present case, there is no material to indicate that the petitioner had the requisite *mens rea* to drive the deceased to commit suicide. There is no allegation of any words or conduct on the part of the petitioner which can reasonably be construed as an exhortation to the deceased to end his life. Mere humiliation, anger, abuse or a quarrel, without something more showing a deliberate intention to facilitate suicide, cannot automatically constitute abetment of suicide.

13. Furthermore, the enquiry conducted by the DSP, City-I, SAS Nagar, it has been noticed that the deceased had allegedly been threatened and was under considerable pressure, it specifically records that no material had surfaced regarding the participation of the petitioner and the family members of Sarabjit Kaur in giving beatings to the deceased on 11.01.2022. It is further relevant that Sarabjit Kaur, who was admittedly present with the deceased immediately before the occurrence, was discharged during investigation as no material was found against her and it was recorded that she had no role in the death of Harpreet Singh. Therefore, the mere presence of the petitioner at the spot or his alleged annoyance on finding his wife in the company of the deceased cannot be treated as sufficient to constitute the offence of abetment of suicide.



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14. Moreover, the statement given by the deceased to one of his friends that, in case anything happened to him, the petitioner would be responsible, also cannot be treated as conclusive proof of abetment. Such a statement may certainly be a circumstance requiring consideration, but it has to be examined along with the surrounding circumstances and the other material collected during investigation. It does not dispense with the requirement of establishing a positive act of instigation, intentional aid or conspiracy on the part of the petitioner.

15. It is also important to note that while considering a case under Section 306 IPC, the Court has to examine the material with greater care and caution. The accused cannot be subjected to a criminal trial merely on the basis of suspicion, conjecture or an inference which is not supported by specific and definite material. The observations made by the Hon'ble Supreme Court in the case of **Balaji Jaiswal versus State of Chhattisgarh and another(supra)**, is squarely attracted to the facts of the present case. The relevant extract thereof is reproduced hereunder:-

“11. From the aforesaid decision, it becomes clear that for sustaining a charge under [Section 306](#) of the Penal Code, it has to be shown that the accused persons had contributed to the suicide by the deceased through some direct or indirect act. [Section 107](#) of the Penal Code has thereafter been referred to hold that there ought to be some instigation or incitement that would reveal a clear mens rea to abet the commission of suicide, thus, leading the victim to such a position that he/she would have no other option but to commit suicide. There ought to be some material to indicate a positive act of instigation, which is a crucial component of abetment. Instigation or incitement on the part of the accused person has been held to be the gravamen of the offence of abetment to suicide. The act of instigation also has to be in close proximity to the act of suicide so as to form the nexus or a chain to indicate that the act of suicide was the direct result of the act of instigation by the accused person. Incidentally, the decision in [Ramesh Kumar](#) (supra) cited by the learned counsel for the first respondent has been considered and relied upon in [Prakash and others](#) (supra).



12. The material forming part of the charge sheet would, therefore, have to be examined keeping in mind the above perspective. Existence of all the ingredients constituting the alleged offence would be necessary. On going through the various statements recorded by the prosecution, the same indicate that deceased Komal was addicted to liquor and that the appellant and Komal used to have liquor together. The son of the deceased, Aakash, had stated that whenever his father used to drink from his money, Revati Bai used to scold him. However, when the appellant used to bring liquor for him, she did not object. In his subsequent statement recorded after about five months from the incident, he suspected that there were illicit relations between his mother and the appellant. Statements of other family members and neighbours indicate the addiction of Komal to liquor. Except such statements and general allegations of illicit relationship between Revati Bai and the appellant, there is no material whatsoever to indicate any instigation or incitement at the instance of the appellant that could lead to Komal committing suicide. On 05.05.2024, the appellant had been to the house of Komal and they had liquor together between 09:00 P.M. to 10:00 P.M. There is no material whatsoever indicating any act of instigation or incitement or abetment by the appellant. The suicide was stated to have been committed in the morning of 07.05.2024. No material whatsoever as regards the proximity between the meeting of the appellant and the deceased, and his committing suicide is available on record. It, thus, will have to be held that the requirements of [Section 107](#) of the Penal Code are not satisfied in the present case.

13. Even if we proceed on the premise that there were illicit relations between the appellant and the wife of the deceased, the clear mens rea to abet the commission of suicide by Komal is absent. As held, to bring home a charge under [Section 306](#) of the Penal Code, the act of abetment would require some positive act of instigating or intentionally aiding another person to commit suicide. There is no allegation that the appellant had instigated Komal to commit suicide or that he had in some way aided any act or illegal omission to bring about the suicide. Further, there is no material on record to infer that Komal was left with no other option except to commit suicide. In the absence of such mens rea on the part of the accused being apparent from the face of record, the charge under [Section 306](#) of the Penal Code cannot be sustained.

14. We, therefore, find that even after accepting the entire material on record at its face value, the ingredients of [Section 306](#) of the Penal Code are not satisfied. Continuation of such criminal proceedings would, therefore, be a futile exercise resulting in the absence of process of law. We may reiterate what this Court said in paragraph 9 in [Madan Mohan Singh Vs. State of Gujarat](#) and another¹² are as follows:-

“In the prosecution under [Section 306](#), IPC, much more material is required. The Courts have to be extremely careful as the main person is not available for cross-examination by the appellant/accused. Unless, therefore, there is specific allegation and material of definite nature (not imaginary or inferential one), it would be hazardous to ask the appellant/accused to face the trial.” The proceedings, therefore, deserve to be quashed.

The High Court failed to examine the material on record in the light of the law [laid down](#) in this regard. It, therefore, erred in not quashing the proceedings. The ratio of the decision in [Dammu Sreenu](#) (supra) relied



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upon by the learned counsel for the first respondent is clearly distinguishable as it arises from a challenge to the conviction of the appellant therein based on the evidence on record.

15. For the aforesaid reasons, the order dated 08.04.2025 passed in CRR No. 450 of 2025 by the High Court is set aside. The charge framed against the appellant in Sessions Case No.80 of 2024 by the learned Sessions Judge, Kabirdham stands quashed. Consequently, the appellant is discharged from the aforesaid criminal proceedings. It is clarified that the present adjudication is restricted to the case of the appellant-accused No.1. The trial against accused No.2 shall proceed uninfluenced by any observations made herein.”

16. Undoubtedly, for sustaining an allegation under Section 306 IPC, there must be material showing that the accused, by some direct or indirect act, contributed to the commission of suicide. There must be an element of instigation or incitement reflecting the requisite *mens rea*. The act attributed to the accused must have a sufficient nexus with the suicide so as to establish that the suicide was the result of such instigation or intentional aid. However, there is no material to indicate that the petitioner intended the deceased to commit suicide or that he deliberately created a situation with the object of compelling the deceased to take his own life. The possibility that the deceased may have felt humiliated, emotionally disturbed or agitated after being confronted by the petitioner cannot be completely ruled out. However, such emotional reaction on the part of the deceased cannot, in the absence of the requisite *mens rea* and a positive act of instigation, be converted into an offence of abetment of suicide. The law does not fasten criminal liability for Section 306 IPC merely because an accused person's conduct may have caused distress or humiliation to the deceased.

17. Moreover, the Hon'ble Supreme Court in ***State of Haryana vs. Bhajan Lal***, 1992 Supp (1) SCC 335, has held that the inherent powers under Section 482 Cr.P.C. can be invoked to prevent abuse of the process of law and



to secure the ends of justice, particularly in cases where the allegations, even if accepted in their entirety, do not *prima facie* disclose the commission of any offence. The said judgment also gives following examples of the kinds of cases where this extraordinary power can be used.-

“8.1. In the exercise of the extra-ordinary power under [Article 226](#) or the inherent powers under [Section 482](#) of the Code of Criminal Procedure, the following categories of cases are given by way of illustration wherein such power could be exercised either to prevent abuse of the process of any Court or otherwise to secure the ends of justice, though it may not be possible to lay down any precise, clearly defined and sufficiently channelised and inflexible guide- i7 myriad kinds of cases wherein such power should be exercised:

(a) where the allegations made in the First Information Report or the complaint, even if they are taken at their face value and accepted in their entirety do not *prima facie* constitute any offence or make out a case against the accused;

(b) where the allegations in the First Information Report and other materials, if any, accompanying the F.I.R.

do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code;

(c) where the uncontroverted allegations made in the FIR or 'complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused;

(d) where the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code;

(e) where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused;

(f) where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal proceeding is



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instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party; (g) where a criminal proceeding is manifestly attended with mala fide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge. ”

18. Consequently, this Court is of the considered view that the allegations against the petitioner, even if taken at their highest, do not constitute abetment of suicide within the ambit of Section 306 IPC and the continuation of the proceedings against the petitioner would amount to an abuse of the process of law.

19. In view of the aforesaid discussion and keeping in view the overall facts and circumstances of the case, the present petition is allowed and FIR No.13 dated 21.01.2022, registered under Sections 306 and 511 IPC at Police Station Phase-I, District SAS Nagar, Mohali, and the subsequent proceedings arising therefrom, including the challan dated 21.03.2022, are hereby quashed qua the petitioner.

20. Pending applications, if any, shall stand disposed of accordingly.

27.08.2026
A.Kaundal

(H.S.GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No