

## IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM No.M-24106 of 2015 (O&M)**  
**Date of Decision: October 06, 2015**

Sadhu Ram

...Petitioner

VERSUS

Satpal Chaudhary and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Jitender Nara, Advocate  
 for the petitioner.

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**INDERJIT SINGH, J.**

**CRM No.32858 of 2015**

The application is allowed, subject to all just exceptions.

Annexure P-4 to P-6 are taken on record.

**CRM No.M-24106 of 2015**

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of order dated 24.04.2013 passed by learned Addl. Chief Judicial Magistrate, Rohtak and the judgment dated 03.06.2015 passed by learned Addl. Sessions Judge, Rohtak, vide which both the Courts below did not summon the respondents-accused and dismissed the complaint filed by the petitioner-complainant.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that Sadhu Ram filed a complaint against Satpal Chaudhary and Raman Lal under Section 306 IPC. As per the averments in the complaint, the complainant's daughter Santosh Kumari got married with Rajender Singh on 26.07.1988, who was working as Junior Engineer (Gardner) in Nagar Nigam, Faridabad and he was promoted to SDO Gardner there. Accused No.1 Satpal Chaudhary was working as Senior Architect in the office of Municipal Corporation, Faridabad and accused No.2 Raman Lal was working as Gardner in that office. Both the accused persons started harassing Rajender Singh in connivance with each other. Accused No.1 got transferred Rajender Singh from NIT Zone to City Zone Faridabad. Both the accused created false and baseless allegations to harm Rajender Singh and he was suspended on 22.12.1998 on the instigation of both the accused. On 22.06.2000, Rajender Singh was re-instanced. During suspension period, he was not paid suspension allowance to harm him economically. It is further in the complaint than FIR No.10 dated 08.01.999 under Sections 409 and 406 IPC was got registered against Rajender Singh and police arrested him and he was released on bail on 10.06.1999. Rajender Singh was discharged in the above-mentioned case on 18.07.2000 for want of any evidence against him in that case. Even then accused No.1 got started departmental enquiry against Rajender Singh. On 15.10.2003, Rajender Singh committed suicide.

Learned ACJM, Rohtak, after going through the preliminary evidence and the report under Section 202 Cr.P.C., did not

summon the accused and dismissed the complaint. Against that order, revision petition was filed and learned Addl. Sessions Judge, Rohtak, dismissed the revision vide judgment dated 03.06.2015.

Aggrieved from the above-said order and judgment passed by the Courts below, present quashing petition has been filed.

In the quashing petition, the petitioner is to prove that the order and judgment passed by the Court below amounts to miscarriage of justice or the order and judgment are abuse of process of the law. Nothing has been pointed as to how the findings given by the Courts below are illegal nor anything has been pointed out as to how the findings given by the Courts below amounts to miscarriage of justice. As per the allegations in the complaint, deceased Rajender Singh was suspended on 22.12.1998 and he was re-instated on 22.06.2000. The FIR was got registered on 08.01.1999 and the occurrence took place after more than three years after the discharge from the FIR.

I have also gone through the suicide note. Even from the suicide note, it cannot be held that the deceased committed suicide due to abetment of the accused as there was no harassment or maltreatment by the accused, which compelled him to commit suicide. The mere re-starting the enquiry by the officer, in no way, amounts to abetment to commit suicide. There is no allegation in the complaint that in any way the deceased was harassed or abused etc. by the accused.

In view of the above discussion, I find that the order and

judgment passed by the Courts below are correct, as per law and do not require any interference from this Court.

Therefore, finding no merit in the present petition, the same is dismissed.

**October 06, 2015**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**