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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-41365 of 2015 (O/M)
Date of decision : 10.3.2016

Sunil Kumar

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajiv Dhawan, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Petitioner-Sunil Kumar, who happens to be son of late Shri Satyanaran Singh, seeks a direction under Section 482 Cr.P.C. for directing respondent No. 1 to grant sanction of the Central Government for getting the fair investigation into the death of Shri Satyanarayan Singh under mysterious circumstances.

Shri Satyanaran Singh was working as a Pumpman on a contract with respondent No. 5-Company. On 21.7.2015, Shri Satyanaran Singh committed suicide, while on board M.T. Peterpaul (IMO NO 9163269), which was sailing from China to Fujairah while bearing Cyprus flag. The incident was reported to the master of the ship Deepak Dayal. According to the petitioner, the death of his father is not a suicide. According to the petitioner, after meeting

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some of the crewmen, he came to know that his father was tortured in barbaric manner by the master of the ship Deepak Dayal and the death of the father of the petitioner was not due to hanging. According to the petitioner, the crewmen were threatened by the master of the ship Deepak Dayal not to disclose the matter to anybody.

I have heard the learned counsel for the petitioner and have also carefully gone through the file.

Today, the photocopy of post mortem report of father of the petitioner has been produced in Court and the same is taken on record. The post mortem was conducted by Dr. Dilhant Amarasinghe, Assistant Judicial Medical Officer, TH-Karapitiya. The nature of injuries shown in the post mortem report makes it clear that there was no sign of use of force on the person of the deceased and it appears to be a case of voluntary hanging, which is a case of suicide. The deceased was stated to be 55 years old. Had it been a case of murder, there would have been marks of use of force, which are missing.

The learned counsel for the petitioner has referred to the statement of crewman Raghvendra B. Singh, which shows that the deceased was working as a pumpman and that the master of the ship was giving him petty jobs like brooming, cleaning and painting on the deck and that the deceased pumpman was aggrieved by this.

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It is further recorded in the statement that a letter was found in the cabin of the deceased, which was handed over to the master of the ship Deepak Dayal. The clothes and belonging of the deceased were thrown in the sea. The mere allegation that the deceased being pumpman was also given jobs of brooming, cleaning and painting on the deck does not from its face even amount to abetment to suicide. In the foreign countries, everybody is suppose to do their daily works on their own alongwith some other jobs, which is part of their culture in the western countries, but in India, it is treated as menial job. However, the deceased always had an option to resign, but he did not do so. The mere fact that due to giving of some petty jobs in addition to his duties, the deceased was depressed, cannot be stretched to hold that he was abetted to commit suicide. The petitioner wants the FIR to be registered and investigated. As it is found to be a case of suicide and not a case of murder, as made out from the post mortem report and even the abetment to suicide is not found from the statement of the crewman, attached with the petition, I do not find any merit in the petition and the same is accordingly dismissed.

(KULDIP SINGH)
JUDGE

10.3.2016
sjks