

CRM-M-6439-2016 (O&M)

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

**CRM-M-6439-2016 (O&M).
Decided on: March 17, 2016.**

Jarnail Singh and another

..... Petitioner(s)

Versus

State of Punjab and another

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Gurcharan Singh , Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL).

Petitioners seek quashing of FIR No.169 dated 17.11.2015, under Section 306/34 IPC, Police Station, Division No.2, Jalandhar, which was registered at the instance of Kulwant Kaur alleging that her husband Paramjit Singh and his elder brother Satnam Singh had taken a loan of Rs.5,000/- each from petitioner No.1 and had returned the same. The amount had been secured by giving blank security cheques to petitioner No.1. Though the amount had been repaid to the petitioners but still two complaints under Section 138 of the Negotiable Instruments Act, had been filed by the petitioners against Paramjit Singh. Paramjit Singh had filed a complaint dated 6.11.2015 to the police authorities regarding fraud having been played upon him by misuser of his security cheques issued by him and his brother Satnam Singh. The deceased Paramjit

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Singh allegedly while going to the stairs of Economic Offence Wing fell and died.

Counsel for the petitioners has submitted that the allegations in the FIR did not constitute an offence of abetment of suicide by Paramjit Singh.

On asking of the Court, counsel for the petitioners informs that challan has already been presented and that there are vague allegations in the shape of statements under Section 161 Cr.P.C. of Satnam Singh and his father in law.

Counsel for the petitioners also submits that medical evidence gathered during the course of investigation is indicative of the fact that the deceased had died on account of heart attack.

I have heard the learned counsel for the petitioners.

The challan has already been presented and the matter is fixed before the Court concerned for consideration of charges. The material referred to by the counsel for the petitioners forms part of the report under Section 173 (2) Cr.P.C. which is required to be taken into consideration by the trial Court. It will be premature to express any opinion by appreciating the material which forms part of the report under Section 173 (2) Cr.P.C. All the pleas taken up in this petition can be taken up before the trial Court at the time of consideration of charges. It is expected that all the pleas raised will be taken into consideration by the Court concerned while

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forming an opinion to frame or not to frame charges against the petitioners.

Disposed of as premature with above said liberty.

March 17, 2016.
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(M.M.S. BEDI)
JUDGE