

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

CRA-S-253-SB-2014

Date of Decision:- 20.03.2017

Shingara Singh

....Appellant

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. A.K. Walia, Advocate,
for the appellant.**

RITU BAHRI, J. (Oral)

Present appeal has been filed against the judgment dated 07.12.2013, passed by the learned Sessions Judge, Mansa, whereby respondent No.2-accused has been acquitted from the charge under Section 306 IPC.

Briefly, the case of the prosecution is that on 20.10.2012, a telephone call was received from In-charge, Police Post, Civil Hospital, Sirsa that dead body of Baljinder Singh son of Shingara Singh was received in the mortuary of the hospital and it was sent for conducting the proceedings. Thereafter, complainant-Shingara Singh got recorded his statement that his son Baljinder Singh was 40 years old. He was residing with him at village Moriwala, Police Station Ding, District Sirsa. He was married with Sandeep Kaur daughter of Tara Singh about six years. They were having one son, who was four years old. Baljinder Singh was working

as driver. Sandeep Kaur went to her parental house at village Jhanda Khurd about two days ago. On the previous day, Sandeep Kaur along with her mother Gurmeet Kaur and brother Amritpal Singh came on the motorcycle to their village Moriwala. He told his son Baljinder Singh on telephone that Sandeep Kaur along with her son was going back to her parental house. Then Baljinder Singh told that he would be returning to the house in the evening and Sandeep Kaur should not go to her parental house but Sandeep Kaur along with her son Arman, had gone to her village Jhanda Khurd. On the same day, one Amritpal Singh told to his daughter-in-law Gurpreet Kaur on phone that Baljinder Singh was lying unconscious at their tube-well. Since his daughter-in-law Sandeep Kaur always used to quarrel with his son Baljinder Singh and being fed up from the quarrel, his son has committed suicide by consuming some poisonous substance or by some other way. After completion of the investigations, the challan was submitted in the Court and after order of the committal Court dated 18.03.2013, the charge under Section 306 IPC was framed against the accused, to which the accused pleaded not guilty and claimed trial, therefore, the case was slated for evidence of the prosecution.

Thereafter, the prosecution, in order to substantiate the crime against the accused, has examined seven witnesses i.e. PW1 to PW7.

After the closer of the prosecution evidence, the accused was examined under Section 313 Cr.P.C. wherein all the incriminating circumstances appearing against the accused were put to her. The accused denied the same and pleaded false implication.

The trial Court after going through the entire evidence led by the prosecution and defence, came to conclusion that there is no evidence

that accused used any direct or indirect words forcing her husband to commit suicide. Moreover, there is no evidence that conduct of the accused over period of time was such to force her husband to commit suicide.

After hearing the learned counsel for the appellant, going through the judgment of acquittal, this Court is of the considered view that the appellant has miserably failed to produce any cogent evidence on record to prove the charge against the accused. Therefore, no interference is warranted in the impugned judgment. Such judgment, containing valid reasons, cannot possibly be interfered with by this Court, unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the appellant, so, the impugned judgment deserves to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant appeal is hereby dismissed as such.

March 20, 2017
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(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No