

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

(i) CRM No.M-7711 of 2017 (O&M)

Baljit Kaur

...Petitioner

VERSUS

State of Punjab and another

...Respondents

(ii) CRM No.M-23274 of 2017 (O&M)

Amarjit Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

Date of Decision: February 08, 2019

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Manish Kumar Singla, Advocate
for the petitioners.

Mr.Dhruv Dayal, Sr.DAG, Punjab
for the respondent-State.

Mr.Karamjit Singh, Advocate
for respondent No.2.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together as point
for determination in these cases is the same.

The petitioners have filed these petitions under Section 482

Cr.P.C. for quashing FIR No.101 dated 02.12.2016 under Sections 306 and

34 IPC registered at Police Station GRPS Sirhind, District Fatehgarh Sahib and all subsequent proceedings arising therefrom.

Notice of motion was issued. Learned State counsel as well as learned counsel for respondent No.2 appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, FIR has been registered on the statement of Paramjit Kaur, who mainly stated in the FIR that her first husband had expired and from him he had one son namely Samarvir Singh. About 10 years ago, she married Avninder Singh, who had two daughters namely Guramrit Kaur and Paramjot Kaur, from his first wife and both are married. Her husband Avninder Singh was agriculturist and he had taken ₹10 lakhs, on interest, from Amarjit Singh for the marriage of his daughter Paramjot Kaur and ₹1,36,000/- had been paid as interest and also gave ₹15,50,000/- along with interest in 2014-2015 by selling the land. The money had been given before Sarpanch Paramjit Singh, former Panch Charam Singh and one Harpal Singh and complete account was cleared. Few days ago, Amarjit Singh had filed case against complainant's husband regarding cheque of ₹3 lakhs, which was taken earlier. Her husband also told this fact to her. On that day, complainant along with Samarvir Singh had gone at the spot and identified the dead body of her husband lying on railway up-line between Khanna-Gobindgarh. Suicide note was also shown to the complainant, which she read and identified handwriting of her husband. It is also in the FIR that complainant's husband committed suicide by coming under the train due to harassment by Amarjit Singh and his wife.

In the present case, the investigation has not been completed so

far, and it is still going on. From the perusal of the FIR, in no way, it can be held that no cognizable offence has been committed. In this case, the Investigating Officer is collecting the evidence. After collection of the evidence, it will be seen by the Investigating Officer whether sufficient evidence has been collected for showing the involvement of present petitioners in the commission of offence or not. At this stage, in no way, it can be held that registration of the FIR is abuse of process of law or amounts to miscarriage of justice.

As per complainant, the allegations have been levelled against present petitioners that they were harassing Avninder Singh and due to their harassment, he has committed suicide by jumping before the train. At this stage, suicide note in the handwriting of the deceased has also been found involving present petitioners. Therefore, as the investigation is going on and Investigating Officer is collecting the evidence, in no way, it can be held that abetment to commit suicide is not made out.

Therefore, finding no merit in both the petitions, the same are dismissed.

February 08, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No