

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

113

CRR-52-2022

Date of decision:10.01.2022

SUDESH RANI

...petitioner

V/S

STATE OF HARYANA

...respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Ashwani Talwar, Advocate
for the petitioner

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioner seeks quashing of the impugned order dated 09.08.2021 passed by the learned Additional Sessions Judge, Hisar, whereby the petitioner, along with one Maina Devi, has been charge-sheeted for the commission of offences punishable under Sections 120-B and 306, read with Sections 34 and 201 IPC.

Learned counsel for the petitioner submits that other than noticing the contention of learned counsel for the petitioner before the trial court, to the effect that an offence punishable under Section 75 of the Juvenile Justice (Care and Protection), 2015, has not been added in the report under Section 173 Cr.P.C., no other contention of counsel has been noticed by the trial court while stating that the charge is to be framed against her and her co-accused.

He further points to the vernacular version of the suicide note (copy Annexure P-1), to submit that the signatures of the deceased Jagdish Chander are coming far below where the writing actually finishes, and therefore the suicide note itself is a fabricated document allegedly recovered by the police from the motorcycle of the deceased after two months of the occurrence.

Having considered the matter, looking at the fact that the suicide note (Annexure P-1) specifically names the petitioner as the person who (as per the allegations) had made the life of the deceased “hell”, in my opinion, it is not a case where this court would interfere at this stage, with the trial court only to see at the stage of framing a charge whether or not a prima facie case against an accused is made out or not, and thereafter pass an order accordingly, which it has done.

Whether or not the suicide note is a fabricated one, would be seen as per evidence led before the trial court, and consequently while dismissing this petition, it is observed that, naturally, the petitioner would be always at liberty to take her defence before the trial court at an appropriate stage.

(AMOL RATTAN SINGH)
JUDGE

10.01.2022

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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No