

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4980-2023

Date of Decision: February 01, 2023

Karamvir Kaur @ Karambir Kaur and others

.....Petitioners

versus

State of Punjab and another

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present:- Mr. Vaibhav Narang, Advocate
for the petitioners

Sudhir Mittal, J. (Oral)

This petition has been filed for quashing of FIR No. 241 dated 25.11.2021 registered at Police Station Gharinda, District Amritsar Rural under Sections 306, 120-B IPC.

According to the FIR, the petitioners i.e. the wife and in-laws of deceased Gurpreet Singh abused and insulted him. The in-laws restrained the wife from settling with the deceased husband. On account of their acts, the deceased- Gurpreet Singh committed suicide outside the house of his in-laws.

Learned counsel for the petitioners has submitted that no specific allegation has been made against the petitioners. The actions complained of did not amount to abetment and, thus, the FIR deserves to be quashed being a gross abuse of the process of the criminal law.

It is settled law that an FIR can only be quashed if a perusal thereof does not reveal the commission of an offence. According to the FIR, the wife treated her husband with cruelty and left the matrimonial house. Despite attempts made she did not come back. Instead, the deceased namely Gurpreet Singh and

members of the Panchayat were insulted whenever they approached the petitioners

for rehabilitation. On the day of incident, the deceased - Gurpreet Singh had told his brother that if his in-laws do not agree to send his wife back with him today he will commit suicide. His body was found outside the house of the in-laws on the same day. Thus, it can not be said that the actions of the petitioners are such that they do not reveal the commission of an offence. Death has taken place outside the house of the petitioners and whether the actions of the petitioners proved to be the last straw can only be determined during the trial. Under the circumstances, it also can not be held that the registration of the FIR is an abuse of the process of criminal law because the allegations clearly show that the deceased committed suicide on account of his wife not coming and staying with him.

For the foregoing reasons, the petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

February 01, 2023

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No