



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7916-2024 (O & M)
Date of decision: 15.07.2024

Sanjeev Kumar Petitioner

V/s

State of Punjab and anr. ...Respondents

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Harmanpreet Kaur (Simmi), Advocate,
for the petitioner.

Ms. Ramta K Chaudhary, DAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of case FIR No.35 dated 29.05.2016 under Sections 306, 420, 120-B and 34 IPC registered at Police Station General Railway Police, District Patiala (Annexure P-1) alongwith report under Section 173 Cr.P.C. (Annexure P-6) and all subsequent proceedings arising therefrom qua the petitioner.

2. The brief facts of the case as emanating from the pleadings are that an FIR No.35 dated 29.05.2016 under Sections 306, 34, 120-B IPC and 420 IPC (added later on), Police Station Government Railway Police, Patiala (Annexure P-1) came to be registered at the instance of Taran Kumar son of deceased-Rajnish Kumar and reads as under:-

“Statement of Taran Kumar son of Rajnish Kumar Caste Balmiki R/o E-22, Punjabi University campus, Police Station Urban Estate Phase II Patiala, District Patiala aged about 23 years mobile No. 90413293320. Stated that 7 am resident of



aforesaid address and doing ITI course at Mayor Polytechnical College, Jalandhar, Today morning i.e. 29.05.2016 I received a call from my mother Neelam saying that yesterday on 28.05.2016 your father had given a call saying that he will be back home within an hour but he has not come home till now but you please come home now. Then I reached home from Jalandhar. There after, I and my uncle Rajan went out in order to look out my father. While searching my father, we reached at Railway station Rajpura, where we saw a great rust of public gathered at platform No.1, where a dead body of a person was lying with face towards the floor and on turning that dead body upside, I found the same was of my father Rajnish Kumar. My father always used to say that he is being tortured and harassed by Jaskirat Singh and his brother Sharanjit Singh sons of Narinder Pal resident of 90/8, Namdhar Khann Road, Patiala. They have obtained from my father 30 Blank cheques of him, on the pretext of getting him a loan but no loan was arranged by them. They in connivance with Surinder Pal Sharma, Advocate filed the said cheques in the courts at Patiala. For that reason there was always a gossip at our home that a big fraud has been played with us and my father always used to tell that the aforesaid two have compelled him to commit suicide. But we always gave moral support to my father by saying that God will definitely do justice with us. Jaskirat Singh and Sharanjit Singh have made a gang in connivance with other persons who used to play fraud with the people. Today you have searched the dead body of my father in my presence. During search, you have found a suicide note written in Hindi in the purse of my father which was found from the pocket of his pant, where in the details of the persons and their names who compelled my father to commit suicide, has been given and my father has signed the suicide note at its end and I identify the same. A legal action may kindly be taken against the persons named in the suicide note and they have compelled my father to commit suicide. I



have recorded my statement t you in the presence of my uncle Rajan Singh. After recording my statement same has been read over to me your which is admitted to be correct. Action may be taken against the persons named in the suicide note. Time is about 14:00 Taran Kumar Rajan Singh attested Satwinder Singh 657 GRP police post Railway Police Rajpura dated 29.05.2016.”

Police Proceedings: *Today at about 11/40 AM one memo from SS Railway Station Rajpura Police Post in which Station Master has written that one unknown person's dead body is lying on PF NO. 1 near Exist gate towards Ambala side, for action IO send the IO upon which I ASI with along ASI Parminder Singh, 410 HC Jasvir Singh 880 Sct Avtar Singh 745 and Ct. Sidarth Singh 572 for doing the action reached on PF No.1 Ambala side at the spot, where the public has gathered and one person's dead body was lying on the cement slab of the platform, whose mouth was towards earth, which was turned in the presence of Taran Kumar and other persons, then Taran Kumar told that this dead body is of his father Rajnish Kumar and in whose presence the search of the dead body was conducted, then from his wearing pant from backside pocket, purse/valet was other recovered, from which along with othe documents, one suicide note written in Hindi was recovered, which was taken in police possession through Farad and on Farad witness was given by Taran Kumar and ASI Parminder Singh 410 GRP and Taran Kumar got recorded his statement to me and below the statement Taran Kumar put his signatures in English which were verified by Ranjan Singh, which was verified by me. As per suicide note Rajnish Kumar has been compelled to die. As per his suicide note, the names are like this that Jaskirat Singh, Sranjit Singh sons of Narinder Pal Singh, House No. 90/8, Namdhar Khan Road, Patiala, Surinder Pal Sharma Advocate, Kuldeep Singh Samir Kumar, Murli Sharma, Ram Chander University Wala, Gupreet Singh, Sanjiv Kumar,*



Manjit Singh Doctor Maninder Singh Pandit Sohan Lal, his son Bunty Inspector Karan Singh Police Station Tripri Wala, Sohal Tripri Wala, Lalaji Patiala Wala, Aarti (Commission Agent) Pappu Patiala Wala, aforesaid persons have compelled Rajnish Kumar to die and as such against these persons the offence under Sections 306, 34, 420 IPC is made out and as such the statement by hand is being sent through HC Jasvir Singh 880 GRP for registration of case. After registration of case the number file may be intimated. Special reports may be issued. Officers are being intimated through mobile phone I ASI along with companions officials are busy for investigation at the spot at Platform No.1 Railway Station Rajpura. Time 15/30 0' Clock Sd/- Satinderjit Singh ASI 657 Police Post Railway Police Rajpura dated 29.05.2016. Proceedings at Police Station as per Rapat Roznamcha No. 25 Roznamcha Police Station Railway Police, Patiala on the statement of Punjab of Taran Kumar son of Rajnish Kumar caste Balmike resident of House No. E-22 Punjabi University Campus Police Station Urban Estate Phase No.02 Patiala District Patiala aged 23 years Mobile No. 9041393320, verified from ASI Satvinder Singh 657 Police Post Railway Rajpura dated 29.05.2016, regarding compelling to die of deceased Rajnish Kumar caste Balmiki resident of House No.E22 Punjabi University Campus Police Station Urban Estate Phase Number 02, Patiala District Patiala against Jaskirat Singh Saranjit Singh sons of Narinder Pal Singh House No. 90/08 Namdhar Khan Road, Patiala, Surinder Pal Sharma Advocate Kuldeep Singh Samir Kumar, Murli Sharma, Ram Chander University Wala, Gurpreet Singhy Sanjiv Kumar, Manjit Singh, Doctor Maninder Singh, Panit Mohan Lal, his son Bunty, Inspector Karan Singh Police Station Trripri Wala, Sohal Tripri Wala, Lalaji Patiala Wala, Aarti (Commission Agent) Pappu Patiala wala, on receiving of statement through HC Jasvir Singh 880 in the Police Station and verified by ASI Satvinder Singh 657 Police Post Railway Station Rajpura,



Sections 306, 34, 120-B IPC under was registered and the case file is being sent through HC Jasvir Singh 880 to ASI Satwinder Singh 657 Police Post Railway Rajpura who is present at the spot, who is busy for inquiry at the spot. Original Tahrir/detail attached with the file. The first information report may be treated as special report, Bandi Rapat No. 26 dated 29.05.2016 18/29 O'clock”.

3. During the course of investigation, a suicide note (Annexure P-2) was recovered and the translated version of the same is as under:-

“I Rajnish Kumar son of Darshan Lal do hereby state that in case anything happens to me then Jaskirat Singh and his brother Sharanjit Singh son of Lata Sardar Narinderpal Singh H.No.90/80 Namdhar Road Patiala along with Surinder Pal Sharma advocate shall be responsible for the same. In this the friends of these brothers are also involved namely Kuldip Singh, Sameer Kumar, Murli Sharma, Ram Chander University wala, Gurpreet Singh, Sanjiv Kumar, Manjit Singh, Dr. Maninder Singh, Pandit Sohan Lal, his son Bunty. Inspector Karan Singh and Baba tripuri wale, Sohan Tripuri Wala, Lala Ji Patiala wala, Commission Agent Pappu Patiala wala who all are involved. Jaskirat Singh had fraudulently taken chques from me for getting a loan worth Rs.3 lacs sanctioned from a company in Delhi. Thereafter he had also given me sanctioned letter and asked for 30 cheques saying that the same shall be sent to the company who shall verify the cheques and after preparing the required documents shall give a DD worth Rs.3 lacs and that thereafter no one from the company shall come in court. Thereafter when I demanded my chques then Jaskirat Singh told me that they have been sent to the company and further told whatever information gets from there he shall informed me. He did not guide me properly and thereafter Jaskirat Singh along with her brother and friend presented the chques in the Bank



and harassed me mantelly and also issued threats that he shall ruin me. Sarabjit also threatened me in court that he shall kill me and no one can do anything against him. Regarding this I also given the complaint along with my wife to PS Division No 4 but the police officials did not accept my application and told that they shall see to it. It is due to the same that I have taken this step. If you people do not punish them then in future they shall trap another person like me in their conspiracy and shall die. Pandit Sohan Lal and son Bunty started telling me to give Rs. 60000 and that after getting the amount from me on 10.07.2015 they will get the cases withdrawn pertaining to Kuldeep Singh and Sanjiv Kumar. But after receiving the money they did not get the cased withdrawn. Jaskirat Singh and Sarabjit Singh have connived and taken me to a point where I am committing suicide for the second time Surinder Pal Sharma advocate is also involved with them because they have shown this dream to the advocate that the gold worth rupees crores pertaining to the Maharajs Raja's time is present in our house, which we will dig it out, out of which you have to give us some share. And the remaining cases filed by us, he will contest those cases free of cost. Kindly consider this letter and take action. In this suicide note neither my parents, brother, sisters nor my in-laws, my wife, son and daughter are responsible for my death. The persons whose names are written in this suicide note are responsible for my death”.

4. During the course of investigation, the statement (Annexure R-1) of Neelam Rani wife of the deceased-Rajnish Kumar was recorded and the translated version of the same is as under:-

“Made the statement that I am resident of above noted address and am domestic lady. My husband Rajneesh Kumar was an Government Servant in Punjabi University. He was having salary account in State Bank of Patiala Branch, Punjabi



University, Patiala and State Bank of Patiala has issued cheque book to my husband. My husband was having bank Account No. MSB 55081483664. My husband had given me 30 cheques after signing it. So that I could withdraw the money from the bank for domestic need and pay fee of children. I usually kept these cheques in lady purse. One day, I went to Patiala in a Tempo and my purse was lost, which was being searched by us. After lapse of time, cheques could not be found. We lodged the complaint with Suvidha Centre regarding loss of cheques but after some time, Jaskirat Singh presented a cheque of Rs. 1,70,000/- in State Bank of Patiala. Since amount of Rs. 1,70,000/- was not in our account, so this cheque was bounced. When we went to State Bank of Patiala, Branch University, Patiala then we learnt that cheques are with Jaskirat Singh son of Narinder Pal Singh r/o H.No. 2090/8, Namdarkhan Road, Patiala. Then myself and my husband Rajneesh Kumar went at the residence of Jaskirat Singh, where Jaskirat Singh and his brother Sharanjit Singh and his mother was present. We asked Jaskirat Singh to return our lost cheques. At this, Jaskirat Singh said that he has got sanctioned loan of Rs.3 Lakhs from a company. We will give these cheques to the company as security presented your cheques in the bank as a person namely Rajneesh has signed on the cheques. There was no address of any person. Jaskirat Singh started alluring us, we came under his influence, then Jaskirat Singh by sending us to his brother Sharanjit Singh got prepared documents for getting sanctioned loan from Krishna Group Private Limited Company After passing many days, no loan was sanctioned in our favour. Then we went to Jaskirat Singh but every time, he was telling that you will be sanctioned. Then he got signatures on blank cheques of my husband for sending cheques to the company at Delhi. When the loan was not sanctioned, then we filed a complaint against him at Urban Estate, Patiala. At this, Jaskirat Singh annoyed with us and started threatening us and



told that you are blank cheques duly signed are with him. I have filed the case against you after getting bouncing the cheques. We became fearful and Jaskirat Singh started taking undue advantage of our innocence and he in connivance with his friends and brother Sharanjit Singh, Kuldeep Singh son of Karam Singh r/o # B 35/213, Jatta Wala Chotran, Patiala, Shamir Kumar son of Suresh Kumar r/o H.No.56 B, Hem Bagh Colony, Patiala, Murli Manohar Sharma son of Pushap Sharma, r/o # 40 Near Jain Petrol Pump, Patiala Gurpreet Singh son of Paramjit Singh r/o # 1054/3, Near Lal Maszid Seran Wala Gate, Patiala, Sanjeev Kumar son of Ram Kewal r/o #16 - F. Partap Nagar, Patiala, Manjit Singh son of Ram Singh r/o # 261/2 Mohalla Takia Rahim near Dharampur Bazar, Patiala, Dr. Maninder Singh son of Jaswant Singh r/o # 816, Gall No.1, Anand Nagar A, Patiala, Harpreet Singh, Suresh Kumar, Vijay Kumar, Rajinder Jaiswal, Jaskirat Singh has got presented our cheques taken from us fraudulently. After handing over to the above noted persons, they filed number of cases against us and also got stopped our salary by them. At this, my husband Rajneesh Kumar started staying under depression We have fixed by the gang prepared by Jaskirat Singh. This gang also include Satinder Pal Sharma, Advocate. Inspector Karan Singh Babia Tripuri Wala, Sholak Tripuri Wala and Lal Ji of Patiala Wala and Pappu Commission of Patiala Wala, who have threatened us after coming to our house. Some time Ram Chand of University also visited our house and threatened my husband. We came under threat and my husband Rajneesh Kumar came under tension but to take undue advantage of our innocence, Pandit Sohan Lal and his son Bunty, who is residing in Sarai of Mandir in Books Market, Near Sadhu Ram Kichori Wala came to our house and disclosed that Jaskirat Singh is my man and he is under my influence, will get compromise effected with him but I will take Rs.1 Lakh, then myself and my husband went to the house of



Pandit Sohan Lal after three days after making arrangement of Rs.60,000/- and after taking Rs.60,000/- from my husband, Pandit Sohan Lal after writing date 10/07/15 in a dairy told us that in case compromise could not be effected then will return your amount on Friday, but he did not got effected our compromise with Jaskirat Singh and nor returned of our Rs. 60,000/-. We came in more problem as we are already in problem. My husband Rajneesh Kumar was under tension. He has filed application with State Bank of Patiala regarding loss of cheques. At the end, my husband Rajneesh Kumar committed suicide on 29/5/2016 due to harassment by above noted persons. He has sent a suicide note to your house through courier. The above noted persons have played a fraud upon us. Whereas, we were leading happy life before loss of cheques. Jaskirat Singh and his gang has also played fraud upon Hon'ble Court, because no money was taken by us. Even Jaskirat Singh and his brother Sharanjit Singh was not known to my husband. On all the bounced cheques cases have been filed by Jaskirat Singh through Advocate Satinder Pal Sharma. By pleading before the persons, who filed cases against us went to the houses including Sameer Kumar, Murli Manohar Sharma, Kuldeep Singh, Dr. Maninder Singh, Sanjiv Kumar, Manjit Singh, but these peoples were telling to us that it is correct they do not know us and nor paid any money to you but our friend is Jaskirat Singh, who has given these cheques to us. You entered into compromise with Jaskirat Singh. We will withdraw the cases. I told these persons that due to filing cases by them, my husband is under depression. If some thing goes wrong with him, then you will be responsible. The above noted persons have compelled my husband to commit suicide. These people have played fraud upon Honble Court and with me. I got recorded statement with you, heard, is correct”.



5. As many as 18 persons had been named in the FIR. The report under Section 173(2) Cr.P.C. was prepared on 27.07.2016 whereas the supplementary challan was prepared on 18.01.2017 against Jaskirat Singh, Sharanjit Singh, Gurpreet Singh, Ram Chander, Kuldeep Singh, Sanjeev Kumar (petitioner) and Samir Kumar.

6. Thereafter, the instant petition came to be filed.

7. The learned counsel for the petitioner contends that proceedings qua Ram Chander, Gurpreet Singh, Jaswinder Singh and Sharanjit Singh already stand quashed vide orders dated 15.12. 2023 (P-7), 17.10.2023 (P-8), 07.10.2023 (P-9) and order dated 07.10.2023 passed in CRR-3672-2018 and the case of the petitioner is on a similar footing. Therefore, the proceedings qua the petitioner-Sanjeev Kumar also ought to be quashed.

8. The learned counsel for the State, on the other hand, has filed a reply dated 15.07.2024 which is taken on record. While referring to the said reply, she contends that the offence was made out and the proceedings ought not to be quashed. She, however, fairly concedes that the proceedings against the co-accused, namely, Ram Chander, Gurpreet Singh, Jaskirat Singh and Sharanjit Singh already stand quashed.

9. I have heard both the parties at length and have perused the record.

10. A perusal of the record would reveal that the Final report under Section 173(2) Cr.P.C. was submitted against the accused Jaskirat Singh, Sharanjit Singh, Gurpreet Singh, Ram Chander, Kuldeep Singh, Sanjeev Kumar (petitioner) and Samir Kumar. The proceedings qua Ram Chander, Gurpreet Singh, Jaskirat Singh and Sharanjit Singh already stand quashed



order dated 07.10.2023 passed in CRR-3672-2018. Admittedly, the case of the petitioner is on the same footing as that of his co-accused. In this situation, no useful purpose would be served by allowing the proceedings to continue against the present petitioner when the proceedings against his four co-accused already stand quashed.

11. In view of the aforementioned discussion, FIR No.35 dated 29.05.2016 under Sections 306, 420, 120-B and 34 IPC registered at Police Station General Railway Police, Distt. Patiala (Annexure P-1) alongwith report under Section 173 Cr.P.C. (Annexure P-6) and all subsequent proceedings arising therefrom stand quashed qua the petitioner.

12. The present petition stands disposed of in the above terms.

(JASJIT SINGH BEDI)
JUDGE

July 15, 2024
sukhpreet

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No