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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3622/2023 & CRL.M.A. 33660/2023**

TANISHK JAIN AND ANR.

.....Petitioners

Through: Mr. Vivek Narayan Sharma,
Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, SC (Crl.) with Mr.
Abhinav Kr. Arya and Mr. Aryan
Sachdeva, Advocates for State.
SI Vishal, P.S. Mayur Vihar.

+ **W.P.(CRL) 1723/2024**

MANISH JAIN

.....Petitioner

Through: Ms. Radhika Gupta, Advocate.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC (Crl.) with Mr.
Sangeet Sibou, Mr. Priyansh Raj
Singh Senger and Mr. Aniket Kumar
Singh, Advocates for State.
SI Vishal, P.S. Mayur Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

22.08.2025

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1. The present petitions filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973¹ (corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023²) seek quashing of FIR No. 568/2023 dated 18th November, 2023 under Sections 306 and 34 of the Indian Penal Code, 1860³ registered at P.S.

¹ "CrPC"

² "BNSS"

³ "IPC"



Mayur Vihar Phase-1, Delhi.

2. The aforesaid FIR was registered on the complaint of one Rahul Chauhan, son of the deceased Mahipal Singh, who was employed at the jewellery shop “Jain Art Jewellers” owned by Manish Jain [Petitioner in W.P.(CRL) 1723/2024].

3. During initial search, the State recovered a note allegedly written by the deceased, a copy of which has been annexed to the petition. The MLC of the deceased recorded the cause of death as affixation by hanging. In view of these developments, inquest proceedings were initiated. During these proceedings, the crime team inspected and photographed the scene of occurrence, and seized one suicide note, a diary, two pens, a dupatta, and certain handwritten notes. Statements of Rahul Chauhan (son), Pooja Chauhan (daughter), Basanti (wife), and Jasveer Singh (relative) of the deceased were recorded, none of whom raised any suspicion regarding his death. Subsequently, on 13th March, 2023, the post mortem was conducted, and the doctor opined the cause of death as “asphyxia due to antemortem hanging”. The body was thereafter released to the family for last rites.

4. Later, pursuant to an order passed by the Magistrate on an application filed by Rahul Chauhan under Section 156(3) of CrPC, the present FIR under Sections 306 and 34 IPC was registered and investigation commenced.

5. During investigation, the admitted signatures of the deceased were obtained from his bank account opening form at Bank of India, Pocket-2, Mayur Vihar, Delhi, for comparison with the handwriting and signatures on the suicide note. The same were sent to FSL, Rohini for examination.

6. On 22nd January, 2024, Tanishk and Akshaan Jain joined the



investigation and were interrogated. They stated that their father ran the jewellery shop “Jain Art Jewellers”, where the deceased was employed, and that their father would also communicate with the deceased using their mobile phones. The CDR of their mobile numbers revealed their last telephonic conversations with the deceased were on 6th March, 2023 (for Tanishk) and 3rd March, 2023 (for Akshaan).

7. Against this background, Manish Jain, who is specifically named in the ‘suicide’ note, and the other Petitioners against whom allegations were levelled in the complaint, have approached this Court seeking quashing of the FIR.

8. Heard. The matter is still at the stage of investigation, and the final report has not yet been filed as yet. In the ‘suicide’ note, the deceased alleged harassment and threats by Manish Jain. Although no allegations were made against Tanishk Jain and Akshaan Jain [Petitioners in W.P.(CRL) 3622/2023], the complainant has levelled allegations of abetment of suicide against them in his complaint dated 6th April, 2023. The FSL report has since been received, confirming that the handwriting on the ‘suicide’ note matches that of the deceased. Further investigation, including examination of the deceased’s mobile phone, is still in progress.

9. In the circumstances noted above, at this nascent stage, it would be wholly inappropriate for this Court to exercise its jurisdiction to quash the FIR at this stage. It is trite that the Court, while exercising its powers under Section 482 of CrPC and/or Article 226 of Constitution of India, should be slow in interfering with criminal proceedings at the initial stage. Sufficient time must be given to the police to investigate into the allegations of the FIR/complaint, which is the statutory right/duty of the police under the



provisions of CrPC. There is no denial of the fact that power under Section 482 of CrPC is very wide, but as observed by the Supreme Court in a catena of decisions, conferment of wide power required the Court to be more cautious and it casts an onerous and a more diligent duty on the Court.⁴

10. As noted above, the investigation is ongoing and the police are yet to reach a final conclusion. The material on record suggest that the death was suicidal, and the deceased left behind a 'suicide' note. Whether the 'suicide' note, or any other material, establishes culpability of the Petitioners in the abetment of suicide is a matter squarely within the domain of the investigating agency.

11. The Court is confident that the investigation will be carried out in accordance with the settled principles laid down by the Supreme Court in relation to the offence under Section 306 of IPC, having regard to the evidence produced during investigation, by either side.

12. Accordingly, without entering into the merits of the case, the Court finds no ground to quash the impugned FIR at this stage. It is clarified that in the event the final report of the State implicates or exonerates any of the Petitioners, they shall be at liberty to avail appropriate remedies before the competent court in accordance with law. Dismissed.

13. Pending application(s), if any, are also disposed of as infructuous.

SANJEEV NARULA, J

AUGUST 22, 2025/as

⁴ See: *Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra & Ors.* 2021 INSC 253.