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

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Decided on :12.01.2026

Gurjant Singh and others

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Premjit Singh Hundal, Sr. Advocate with  
Mr. Gursahib Singh Hundal, ADvocate  
Mr. Kanwar Harjinder Singh, Advocate  
Ms. Arshpreet Kaur, Advocate for the petitioners.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. R.K. Girdhar, Advocate and  
Mr. Amanveer Singh, Advocate for respondents No.2 to 4.

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**SANJAY VASHISTH, J. (Oral)**

1. Petitioners, namely: (i) Gurjant Singh, aged 32 years; (ii) Gurmej Singh, aged 59 years; (iii) Jagdish Singh @ Bakshish Singh, aged 35 years; and (iv) Nachhattar Singh, aged 46 years, have filed the instant petition under Section 528 of the BNSS seeking quashing of impugned FIR No. 74 dated 02.08.2022, registered under Sections 452, 323, 506, 148, and 149 of the IPC (Section 306 IPC having been added later vide DDR No. 37 dated 10.08.2022), at Police Station Khalra, District Tarn Taran, along with all consequential proceedings arising therefrom, on the

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basis of a compromise dated 05.05.2025 (Annexure P-4) arrived at between the parties.

2. FIR in the present case was registered at the instance of Respondent No.2, Jasbir Kaur, alleging therein that her younger son, Mandeep Singh, was married to Pawandeep Kaur, daughter of Gurmej Singh (Petitioner No.2), about four years and six months prior to the occurrence. No child was born out of the said wedlock. Pawandeep Kaur had earlier submitted a complaint to the Women Cell, Tarn Taran; however, same was subsequently compromised.

On 02.08.2022, at about 8:00–9:00 a.m., a scuffle took place between Pawandeep Kaur and her husband-Mandeep Singh (son of the complainant). Later, at about 11:00–11:30 a.m., when complainant, her husband-Gurcharan Singh, and her son Mandeep Singh were present in their house, petitioners' party allegedly reached their residence, with one of them holding an iron rod. Gurcharan Singh (husband of the complainant), Mandeep Singh (son of the complainant), and the complainant herself were allegedly beaten, and insulting taunts were allegedly hurled by Pawandeep Kaur. Thereafter, complainant's husband-Gurcharan Singh, consumed insecticide (mono), generally used for spraying crops, by opening its lid, and subsequently expired.

3. Learned Senior Counsel for the petitioners submits that the incident occurred on 02.08.2022, whereas Section 306 IPC was added later vide DDR No. 37 dated 10.08.2022, i.e. after about eight days of the incident. After completion of the investigation, challan was submitted



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only against four of the petitioners herein. It is argued that, prima facie, no offence under Section 306 IPC is made out, as there is no element of instigation or abetment attributable to the petitioners.

Learned Senior counsel further submits that after the occurrence and submission of the challan, both sides have amicably resolved all their disputes and have entered into a compromise vide compromise deed dated 05.05.2025. Prior thereto, Respondent No.2, Jasbir Kaur—who is none other than the wife of the deceased—had executed an affidavit stating that relatives, respectable persons, and responsible members of society had intervened, pursuant to which a mutual compromise was arrived at between the accused and the victims.

In the affidavit as well as in the compromise, the complainant has categorically clarified that there was no fault on the part of the accused persons in the death of Gurcharan Singh. Consequently, she has expressed that she is no longer interested in pursuing the present case if the same is quashed and has conveyed her willingness to make the requisite statement, if so required by this Court.

4. Learned Senior Counsel for the petitioners places reliance upon the judgment passed by a Co-ordinate Bench of this Court titled '*Nirmaljit Singh and others v. State of Punjab and another*', CRM-M-50641-2021, decided on 10.04.2023, and contend that there was no instigation on the part of the accused towards the deceased, so as to constitute abetment to commit suicide, as the essential ingredients of Section 107 IPC were completely absent. It is further submitted that a



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mere allegation that the deceased was humiliated due to the alleged insult by the accused and was thereby compelled to commit suicide, having no other option, cannot by itself be construed as sufficient to constitute the offence of abetment to suicide.

Learned counsel further relies upon the judgments passed by the Co-ordinate Benches of this Court in '*Varinder Kumar @ Bita and others v. State of Punjab and another*', CRM-M-13053-2017, decided on 22.08.2019, and '*Iqbal Singh Sandhu and others v. State of Punjab and others*', CRM-M-45353-2019, decided on 06.05.2024, to substantiate the prayer for quashing of the proceedings in view of the compromise arrived at between the parties, which has been duly relied upon by the petitioners–accused as well as Respondents No. 2 to 4, who are the complainant/victims.

Accordingly, learned Senior counsel prays for quashing of the impugned FIR and all consequential proceedings arising therefrom.

5. In the reply filed on behalf of the complainant by Mr. Amanvir Singh, Advocate for Respondents No. 2 to 4, it has been specifically pleaded that, in view of the compromise dated 05.05.2025 and the affidavits dated 21.04.2025, the respondents have no objection if the FIR in question and all consequential proceedings arising therefrom are quashed. Paragraph No. 2 of the reply filed by Respondents No. 2 to 4 reads as under:

*“2. That the FIR was registered at the instance of the deponent and respondent Nos.2 and 3 are sons of the deponent. Now the matter has been compromised*



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*between the petitioners and respondent Nos.2 to 4 with the intervention of the respectables and as such, now respondents No. 2 to 4 have got no objection in case the FIR and all the consequent proceedings arising therefrom are quashed by this Hon'ble Court on the basis of compromise dated 05.05.2025(Annexure P/4) and also by taking into consideration the affidavits dated 21.04.2025 of respondent Nos. 2 to 4."*

6. I have considered the submissions advanced by learned counsel for the respective parties and have gone through the petition as well as the documents appended thereto.

7. Examining the facts on merits, it is difficult to appreciate the manner in which deceased-Gurcharan Singh, ended his life. Undoubtedly, due to temperamental differences, the relationship between the husband and wife, namely Pawandeep Kaur and Mandeep Singh, was not cordial. The visit of the family members of Pawandeep Kaur to the complainant's house appears to be a reaction to the strained relationship between the two families.

The occurrence of any fight, scuffle, or heated exchange by itself would not be sufficient to presume that a person placed in such circumstances would, in the ordinary course, commit suicide. Differences of this nature, including scuffles or altercations, are not uncommon in many families in our society. There is no denying the fact that legal remedies were available to both sides, either to resolve their differences amicably or to separate from each other in accordance with law.



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Even assuming that the petitioners had caused beatings, the appropriate course would have been to report the matter to the concerned law-enforcement agency, rather than resorting to the extreme step of ending one's life, that too within one's own house. Undoubtedly, deceased-Gurcharan Singh, was deeply distressed by the ongoing bitterness in the marital life of his son; however, the same, by itself, cannot be considered a sufficient reason for a person to take his own life.

To arrive at the conclusion that there was no instigation on the part of the petitioners, this Court derives support from the judgment in *Nirmaljit Singh* (supra), wherein, it has been held as under:

*“The word "instigate" which figures in the first clause of Section 107, is not defined in the IPC. Hon'ble The Supreme Court in the case of **Ramesh Kumar vs. State of Chattisgarh**, (2001) 9 SCC 618, observed that, “instigation is to goad, urge forward, provoke, incite or encourage to do "an act". To satisfy the requirement of "instigation", though it is not necessary that actual words must be used to that effect or what constitutes "instigation" must necessarily and specifically be suggestive of the consequence. Yet a reasonable certainty to incite the consequence must be capable of being spelt out. Where the accused had, by his acts or omission or by a continued course of conduct, created such circumstances that the deceased was left with no other option except to commit suicide, in which case, an "instigation" may have to be inferred. A word uttered in a fit of anger or emotion without intending the consequences to actually follow, cannot be said to be instigation.”*

*The dictionary meaning of the word "goad" is "a thing that stimulates someone into action: provoke to action or*



*reaction" (See: Concise Oxford English Dictionary); "to keep irritating or annoying somebody until he reacts" (See: Oxford Advanced Learner's Dictionary - 7th Edition). Similarly, "urge" means to advise or try hard to persuade somebody to do something or to make a person to move more quickly and or in a particular direction, especially by pushing or forcing such person. Therefore, a person who instigates another has to "goad" or "urge forward" the latter with intention to provoke, incite or encourage the doing of an act by the latter.*

*Hon'ble The Supreme Court of India in the case of **Netai Dutta vs. State of West Bengal**, (2005) 2 SCC 659, held as under:-*

*"5. There is absolutely no averment in the alleged suicide note that the present appellant had caused any harm to him or was in any way responsible for delay in paying salary to deceased Pranab Kumar Nag. It seems that the deceased was very much dissatisfied with the working conditions at the work place. But, it may also be noticed that the deceased after his transfer in 1999 had never joined the office at 160 B.L. Saha Road, Kolkata and had absented himself for a period of two years and that the suicide took place on 16.2.2001. It cannot be said that the present appellant had in any way instigated the deceased to commit suicide or he was responsible for the suicide of Pranab Kumar Nag. An offence under Section 306 IPC would stand only if there is an abetment for the commission of the crime. The parameters of the "abetment" have been stated in Section 107 of*



*the Indian Penal Code. Section 107 says that a person abets the doing of a thing, who instigates any person to do that thing; or engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy, or the person should have intentionally aided any act or illegal omission. The explanation to Section 107 says that any willful misrepresentation or willful concealment of a material fact which he is bound to disclose, may also come within the contours of "abetment". 6. In the suicide note, except referring to the name of the appellant at two places, there is no reference of any act or incidence whereby the appellant herein is alleged to have committed any willful act or omission or intentionally aided or instigated the deceased Pranab Kumar Nag in committing the act of suicide. There is no case that the appellant has played any part or any role in any conspiracy, which ultimately instigated or resulted in the commission of suicide by deceased Pranab Kumar Nag."*

*In view of the aforesaid, to ascertain whether any one of the ingredients of Section 107 IPC would be attracted in the present case, it is necessary to consider in sum and substance the allegations levelled against the petitioners as emerge from the FIR and suicide note."*

Further, **Varinder Kumar @ Bita (supra)** and **Iqbal Singh Sandhu (supra)** also pertained to offences under Section 306 IPC, wherein, while exercising inherent powers under Section 482 Cr.P.C. and



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relying upon earlier precedents, the impugned FIRs and all consequential proceedings were quashed.

8. In the present case, apart from the absence of sufficient instigation to construe abetment of suicide, it is also worth noting that both sides have amicably resolved their differences and have entered into a compromise. In this regard, the affidavit of Respondent No.2, Jasbir Kaur, dated 21.04.2025 (P-5), and the compromise deed dated 05.05.2025 (P-4) have been considered, and these documents have not been disputed by the private respondents/victims No. 2 to 4.

Continuation of the proceedings in the present case, therefore, appears to serve no purpose, as the prosecution witnesses are unlikely to implicate the accused/petitioners herein. If the trial were to continue, it would result in nothing more than a waste of time and judicial resources.

On a holistic evaluation, and applying the ratio of the judgments relied upon by the petitioners, this Court is of the view that the allegations set out in the FIR do not constitute an offence for which cognizance has been taken, even after the submission of the final report. Evidently, this is a case of such nature where the petitioners should not be compelled to undergo the rigmarole and ordeal of a trial.

Accordingly, it is appropriate to quash the proceedings by exercising the powers vested in this Court under Section 482 Cr.P.C. (Section 528 of BNSS), so as to prevent abuse of the process of law. In



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view of the above, present petition is allowed, and the FIR, as well as all consequential proceedings arising therefrom, are hereby quashed.

(SANJAY VASHISTH)  
JUDGE

12.01.2026  
*Rashmi*

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