CNR No: PHHC010670022023
2026:PHHC:187621

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(133) CRM-M-26128-2023 (O & M)

Akashdeep Singh ... Petitioner(s)

V/s

State of Haryana

...Respondent(s)

1	*The date when the judgment was reserved*	*07.10.2026*
2	*The date when the judgment is pronounced*	*09.10.2026*
3	*The date when the judgment is uploaded on the website*	*10.10.2026*
4	*Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced*	*Full*
5	*The delay, if any, of the pronouncement of full judgment, and reasons thereof.*	*Not applicable*

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Saurabh Sharma, Advocate,
for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

Mr. Ashit Malik, Sr. Advocate, with
Mr. Abhinav Kansal, Advocate
for the complainant.

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JASJIT SINGH BEDI, J. (Oral)

CRM-29000-2023

The application for placing on record the Post Mortem Report of the deceased-Sarabjit Singh as Annexure P-7 in compliance of the order

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dated 07.07.2023, is allowed as prayed for subject to all just exceptions. The same is taken on record.

CRM-M-26128-2023

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of the FIR No.40 dated 21.09.2022 under Sections 306, 34 IPC registered at Police Station GRP Kurukshetra, District Kurukshetra and all the consequential proceedings arising therefrom.

2. The brief facts of the case are that on 05.09.2022, a dead body of an unknown male person was found at K.M No. 182/22-20 near Darmayan Railway Station Mohri Shahabad struck by a train. Proceeding u/s 174 Cr.P.C were conducted by Isham Singh SI 498. During the proceedings, the post mortem of the dead body was got done from Civil Hospital, Kurukshetra and the dead body was handed over for last rites to Helper Civil Society, Shahabad and proper endeavour was done to get the identification of the dead body and for the same purpose an advertisement in the newspaper Dainik Jagran was got published on 06.09.2022. Upon seeing the photo of the deceased on 21.09.2022 in the newspaper, the dead body was identified as that of Sarabjit Singh s/o Joginder Singh r/o Village Shahzadi, District Ferozpur by the father of the deceased Joginder Singh and mother Ranjit Kaur and wife of the deceased Harshdeep Kaur. The father of the deceased Joginder Singh after satisfying himself about the dead body of his son moved an application on 21.09.2022 to the police which reads as under:-

"To, SHO, Police Station, Railway Police Station, Kurukshetra,

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Subject- Regarding taking action against Harshdeep Kaur, d/o Jagdish Singh and Jagdish Singh against and Kiranjit Kaur, wife of Jagdish Singh and Akash Deep Singh, son of Jagdish Singh, all residents of village Boripur, Police Station, Shahbad, District Kurukshetra.

Respected Sir, it is respectfully submitted that I, Joginder Singh, son of Dayal Singh, resident of village, Sehzadi, Police Station GalKhurd, District Ferozpur (Punjab) and employed with the private bus service. I have two sons. The name of the elder son is Tejpal Singh who is posted with Punjab Police and the younger son was Sarabjit Singh. That Sarabjit Singh wanted to marry Harshdeep Kaur, d/o Jagdish Singh, resident of Village Boripur, Police Station, Shahbad, District Kurukshetra. That Harshdeep Kaur had got an F.I.R registered against my son, Sarabjit Singh, i.e. F.I.R no. 58 dated 15.01.2022 u/s 376, 34, IPC at Police Station, Shahabad. That this FIR was later transferred to Sector 43 Chandigarh and the case was registered at Sector 43 Chandigarh and in this case Harshdeep Kaur had put a condition that Sarabjit Singh after solemnising marriage with her will stay away from his parents at village Boripur along with her otherwise he will pay Rs. 10,00,000/-as compensation. In this regard, the respectable members of the society had got their settlement done and I had got the marriage of my son, Sarabjit Singh solemnised with Harshdeep Kaur d/o Jagdish Singh on 16.02.2022. That after the marriage, in the month of March, 2022, Harshdeep Kaur took her household belongings and gold belonging to Rajbir Kaur wife of my elder son Tejpal along with Rs. 10,000 in cash and started living at her house in village Boripur. That my son Sarabjit Singh asked his wife to come back, but she refused for coming back and said that I will not live with you in your house and that you shall come to my house at village Boripur. After

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this my son, Sarabjit Singh filed a civil suit in District Courts, Ferozepur and after the mutual settlement at the behest of Panchayat, my son Sarabjit Singh had started living with his wife at village Boripur from the month of July, 2022 and upon the asking of his wife, he had stopped talking to us. That my son Sarabjit Singh used to work in PRTC, Punjab, and after his duty used to go to Village Boripur. On 05.09.2022, I received a call from my relative Amandeep Kaur w/o GurPrakash Singh, r/o Village, Shyam Kheda, District Muktsar, Punjab who told us that she has received a call from Harshdeep Kaur that her husband Sarabjit Singh has not returned home since morning. I searched for my son Sarabjit Singh till 12.09.2022, but his whereabouts could not be known and I got a report lodged at Police Post Lal Kurti, Ambala. Thereafter I along with my family members and relatives kept searching for my son Sarabjit Singh. That on 20.09.2022, I received an information that a dead body of unknown young boy has been found at railway station, Shahabad on Police, 05.09.2022 by Railway Kurukshetra regarding which I along with my relatives and many people from the village have come of our son and have to Railway Police Station. That we have seen the photograph dead body of identified it which is of my son Sarbjit Singh. That my son has ended his life on account of mental harassment done by his wife, Harshdeep Kaur and her brother Akash Deep and their mother Kiranjeet Kaur and their father Jagdish Singh. It is prayed that legal action be taken against above mentioned accused persons. SD/-Joginder Singh.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He is a boy of the age of 19 years only. The statement of the complainant-Joginder Singh was

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recorded under Section 175 Cr.P.C. wherein he stated that he would give a statement after careful thought and on discussion with his family. Subsequently, his statement was recorded under Section 161 Cr.P.C. wherein he has only stated that action should be taken against his daughter-in-law/Harshdeep Kaur, her brother-Akashdeep Singh (petitioner) and her parents Kiranjeet Kaur and Jagdish Singh, both of whom have been exonerated. The statement of Amandeep Kaur, the cousin of the deceased had been recorded under Section 161 Cr.P.C. wherein she has not levelled any allegation against anyone. On the other hand, the statement of Rajendra Pal, Loco Pilot, who was the driver of the train which struck the deceased has been recorded under Section 161 Cr.P.C. wherein he has stated that when his train i.e. Train No.11078, Jhelum Express from Ludhiana to New Delhi had reached Mohari-Shahabad Railway Station, a man was crossing the line who, despite the blowing the horn of the train, was hit by the train, the information of which he had given to Varinder Singh, the Station Master, Railway Station Shahabad through Walkie Talkie. A similar statement has been made by Varinder Singh, the Station Master Railway Station, Shahabad under Section 161 Cr.P.C. Once the FIR and the statements which have been recorded during the course of the investigation do not enumerate the role played by the petitioner in the purported suicide of the deceased, the pendency of the proceedings emanating out of the impugned FIR No.40 dated 21.09.2022 (Annexure P-1) would be nothing but an abuse of the process of the Court and therefore, the FIR (Annexure P-1) and all the consequential proceedings arising therefrom are liable to be quashed.

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4. The learned Sr. counsel for the complainant, on the other hand, contends that Harshdeep Kaur had got registered an FIR against the deceased-Sarabjit Singh bearing FIR No. 115 dated 05.06.2022 under Sections 376, 34 IPC, Police Station Sector 36, Chandigarh (Annexure P-2). Later, a settlement was arrived at and Harshdeep Kaur solemnized marriage with Sarabjit Singh. However, after the marriage, Harshdeep Kaur left the matrimonial home and went back to her parental Village and on being asked to come back, she refused to do so. Sarabjit Singh, thereafter, filed a civil suit and after a mutual settlement was arrived at, Sarabjit Singh started living with his wife at Village Boripur and stopped maintaining contacts with his parents. The behaviour of Harshdeep Kaur led the deceased to commit suicide. The petitioner happens to be the real brother of Harshdeep Kaur. The allegations levelled in the FIR *prima facie* make out an offence and therefore, the present petition is liable to be dismissed.

5. The learned counsel for the respondent-State contends that after due investigation, Harshdeep Kaur and the present petitioner-Akashdeep Singh were charge-sheeted whereas their parents, namely, Jadhish Singh (father) and Kiranjeet Kaur (mother) were exonerated. As the offence is *prima facie* established, the question of quashing of the FIR and all consequential proceedings arising therefrom does not arise and thus, the present petition is liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. The body of Sarabjit Singh was discovered on 05.09.2022. Upon seeing his photograph in the newspaper on 21.09.2022, Joginder

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Singh, the father of Sarabjit Singh and the present complainant alongwith his (Sarabjit Singh's) mother-Ranjit Kaur identified the deceased. At that time, the statement of Joginder Singh was recorded under Section 175 Cr.P.C. in which he stated that Harshdeep Kaur had given an application about dowry demand and harassment to the Police Station, Shahabad against his son (deceased-Sarabjit Singh) who used to live with his wife in her village. He stated that he would make a full statement after discussion with his family. Subsequently, he made a statement under Section 161 Cr.P.C. wherein no allegations whatsoever have been levelled against the petitioner. Similarly, Amandeep Kaur, the cousin of the deceased has not levelled any allegation against the petitioner. The FIR (Annexure P-1) itself only states that the deceased had ended his life on account of mental harassment done by his wife-Harshdeep Kaur and her brother-Akashdeep Singh and their parents Kiranjeet Kaur and Jagdish Singh. Both Kiranjeet Kaur and Jagdish Singh have been exonerated. The statements of Rajendra Pal, Loco Pilot and Virendra Singh, the Station Master, Railway Station Shahabad have been recorded to the effect that the deceased was inadvertently struck while crossing the railway line. Therefore, it is not even clear as to whether the death of Sarabjit Singh is accidental or suicidal.

8. Be that as it may, so far as the present petitioner is concerned, he was 17 years of age at the time of the occurrence and as has been discussed above, no specific allegations of harassment/abetment have been levelled against him.

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9. Keeping in view the aforementioned discussion, I find considerable merit in the present petition. Therefore, the FIR No.40 dated 21.09.2022 under Sections 306, 34 IPC registered at Police Station GRP Kurukshetra, District Kurukshetra (Annexure P-1) and all the consequential proceedings arising therefrom stand quashed qua the petitioner only.

10. The present petition is allowed in the above terms.

11. The pending application(s), if any, shall stand disposed of accordingly.

October 09, 2026 **(JASJIT SINGH BEDI)**
sukhpreet **JUDGE**

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

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