



2026:AHC-LKO:9437

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 7472 of 2024

Ravi Joel Tudu

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Anamika Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 12

HON'BLE PANKAJ BHATIA, J.

1. The office report indicates that notice has been duly served upon opposite party no. 2; however, none has appeared on his behalf. Therefore, the matter is being proceeded for final hearing.
2. Heard learned counsel for the applicant and learned AGA for the State.
3. The present application has been filed with the prayer to quash the impugned cognizance/summoning order dated 10.04.2023 passed by the Chief Judicial Magistrate, Raebareli as well the charge sheet dated 13.11.2022 along with the entire proceedings of Case No.7673 of 2023 (*State Vs. Monika Mangu and others*) arising out of Case Crime No. 410 of 2023 u/s 306 IPC, Police Station- Mill Area, District Raebareli, pending in the court of Chief Judicial Magistrate, Raebareli.
4. Learned counsel for the applicant submits that the FIR in question was lodged alleging that the nephew of the informant committed suicide after being caught cheating and being humiliated by his teacher. A suicide note was also recovered wherein the deceased stated that he had been caught cheating; however, the applicant was neither named in the FIR nor in the suicide note.
5. Subsequently, in the statement of the sister of the deceased, it was alleged that the deceased was humiliated not only by his teacher but also

by the applicant, on account of which he committed suicide. As per the post-mortem report, the cause of death was ante-mortem hanging. On the basis of the said material, the applicant was charge-sheeted and summoned to face trial for the offence under Section 306 IPC vide summoning order dated 10.04.2023.

6. The present application has been filed seeking quashing of the entire proceedings, including the charge-sheet and the summoning order, on the ground that even from a plain reading of the FIR and the material collected during investigation, no offence under Section 306 IPC is made out against the applicant. Reliance has been placed upon various judgments of the Hon'ble Supreme Court i.e. *Netai Dutta Vs. State of West Bengal* (2005) 2 SCC 659; *Sanju Vs. State of M.P.* (2002) 5 SCC 371; *Amalendu Pal Vs. State of West Bengal* (2010) 1 SCC 707; *Shabbir Hussain Vs. State of Madhya Pradesh in Special Leave to Appeal (Crl.) No(s). 7284/2017*; *Geo Varghese Vs. State of Rajasthan*, 2021 SCC Online SC 873; *State of West Bengal Vs. Indrajit Kundu and Others* (2019) 10 SCC 188; *State of Kerala and others Vs. S. Unnikrishnan Nair and Others* (2015) 9 SCC 639; *Madan Mohan Singh Vs. State of Gujarat and Another* (2010) 8 SCC 628; *Kamalakar Vs. State of Karnataka*, 2023 SCC Online SC 1458; *Prabhu Vs. State Rep by the Inspector of Police*, 2024 SCC Online SC 137; *Arnab Manoranjan Goswami Vs. State of Maharashtra and Others* (2021) 2 SCC 427.

7. It is submitted that except for the statement of the sister of the deceased alleging that the applicant had also humiliated the child, there is no material on record against the applicant. Even if the said allegation is taken to be true in its entirety for the sake of argument, the same would not fall within the ambit of "abetment" as defined under Section 107 IPC.

8. Considering the submissions advanced by learned counsel for the parties as well as material available on record, in the absence of any material suggesting instigation, conspiracy, or intentional aid on the part of the applicant which directly led to the commission of suicide, continuation of the proceedings under Section 306 IPC would amount to

abuse of the process of law. In view of the settled legal position as laid down by the Hon'ble Supreme Court in a catena of decisions, the proceedings are liable to be quashed.

9. Accordingly, the present application stands **allowed** and the cognizance/summoning order dated 10.04.2023 passed by the Chief Judicial Magistrate, Raebareli as well the charge sheet dated 13.11.2022 along with the entire proceedings of Case No.7673 of 2023 (*State Vs. Monika Mangu and others*) arising out of Case Crime No. 410 of 2023 u/s 306 IPC, Police Station- Mill Area, District Raebareli, pending in the court of Chief Judicial Magistrate, Raebareli are hereby **quashed**.

(Pankaj Bhatia,J.)

February 6, 2026

V. Sinha