IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.5233/2026
(@Petition for Special Leave to Appeal (Crl.) No.14971/2026)

AKASH SHARMA **Appellant(s)**

VERSUS

STATE OF CHHATTISGARH & ORS. **Respondent(s)**

O R D E R

1. Leave granted.

2. The Respondent No.4 - de facto complainant, although served with the Notice issued by this Court yet has chosen not to remain present before this court, either in person or through an advocate, and oppose this petition.

3. This appeal arises from the order passed by the High Court of Chhattisgarh dated 10th of July 2026 in Writ Petition Criminal No. 380 of 2026, by which the High Court rejected the Writ Petition preferred by the appellant seeking quashing of FIR No. 52 of 2021 registered with Katghora Police Station, District Korba for the offence punishable under Sections 306 read with 34 of the Indian Penal Code respectively.

4. The First Information Report lodged by the sister-in-law of the deceased reads thus:

> ***"I am posted as Station House Officer in Police Station Katghora. On oral information being given by informant Smt. Nirmala Rajput, resident of Bankimongra, Police Station Bankimongra, Distt. Korba on 22.1.2021 regarding commission of suicide by hanging by her brother-in-law deceased Balvinder Singh, son of Late Dharam Singh Jat, aged 40 years, resident of Bazar Mohalla, Ward No.3, Katghora on 22.1.2021 in between 8 am and 10 am in his house, Merg No.11/2021 under Section 174 CrPC was registered, during investigation panchnama proceedings were conducted by lady Head***

Signature Not Verified
Digitally signed by VISHAL ANAND
Date: 2026.11.05 17:19:18 IST
Reason:

Constable 356 Anita Xess. Suicide note written by the deceased Balvinder Singh before death was duly seized from the place of occurrence and statements of relatives of the deceased i.e. his wife Smt. Tuli Bai and elder brother Jaswant Singh and informant were recorded, postmortem of the dead body was got done, the doctor opined the cause of death to be asphyxia due to hanging and nature suicidal which was recorded and the deceased in his suicide note has mentioned the names of tenant Sanjay Yadav, Purnima Yadav and Yashoda Bai and Akash Sharma as main accomplice. In this regard also after enquiring from the non-applicants their statements were recorded who stated that Sanjay Yadav was tenant in the residence of the deceased and on his asking for vacating the house, he was not vacating the house, there was mutual dispute and animosity, as a result of which on 22.1.2021 at about 9 am he had quarrel and abusive hot talks with Yashoda Bai. The said suicide note was sent to handwriting expert Raipur for examination which was returned after scrutiny on some points which is to be sent again. Since in the merg inquiry, as per the entire investigation conducted so far, in the house constructed on the half portion of residence of deceased Balvinder Singh, accused Sanjay Yadav was living on rent with his family and on deceased demanding rent and for vacating the house, there was dispute and animosity, Anusuiya Yadav wife of Sanjay Yadav was working in the house of Akash Sharma in the past, therefore, Akash Sharma was also in favour of them and was giving them shelter for not vacating the house. Thus due to above dispute in relation to the rented house the deceased out of torture appeared to have committed suicide by hanging.

Hence upon the entire investigation in the matter and investigation verification by me, offence under Section 306, 34 of IPG being prima facie found against accused persons Sanjay Yadav and elder sister-in-law Purnima Yadav and mother-in-law Yashoda Bai and accomplice Akash Sharma resident of Bazar Mohalla Ward No.3 Katghora, the offence having been registered was taken up for investigation. Copy of Merg Intimation No.11/2021 is annexed. As per Untimely Death Information Register (Section 174 CrPC) Police Station Katghora Dist. Korba CG Merg No. 11/21 the cause of death is hanging, name and address of the deceased Balvinder Singh s/o Late Dharam Singh Jat, aged 40 years. Bazar Mohalla Katghora Ward No.3, date, time of incident 22.1.2021 in between 8 am and 10 am, place of occurrence Bazar Mohalla Katghora house of the deceased, date and time of information 22.1.21 at 12.00 o'clock, name of informant Nirmala Rajput w/o Jaswant Singh Jat, aged 40 years, resident of BankimongraQut. No.34/03, Police Station Bankimongra, details - informant with her husband Jaswant Si.ngh appeared before Police Station, lodged oral merg intimation that her husband has three brothers, elder one is her husband and younger brother was Balvinder Singh who was living at Bazar Mohalla, Katghora with family and his wife is Tuli Kaur who had gone to her parental house at Korba on 20.1.2021 in the evening due to quarrel with her husband, her brother-in-law drives Auto and was habitual to liquor, had given half of his house on rent, two days ago in the night her sister-in-law (devrani) informed her over telephone from Korba that there was quarrel between her husband and the tenant, therefore, she came to her parental house with children, on which she came to Katghora with her female acquaintance and went to the house of her brother-in-law alone and saw that her brother-in-law had died due

to hanging in the room, seeing this she got scared and immediately having rushed out informed the neighbourers at 11 o clock and after informing the family members, has come to lodge the report. Upon information, having registered merg, panchanama proceeding commenced, information is sent to SDM. Illegible signature in English of Nirmala Rajput, illegible signature in English of investigator on 22.1.21"

5. Thus, on plain reading of the First Information Report, it appears that four persons have been named as accused. The appellant before us viz. Akash Sharma is figures as Accused No.4 in the First Information Report. It further appears that the three co-accused were put to trial for the alleged offence. They came to be acquitted vide the Judgment and Order dated 3rd October, 2024. The appellant before us was not put to trial as some interim protection was granted by this Court, as a result charge-sheet was not filed against him, and therefore he could not be put to trial along with the three co-accused.

6. It also appears from the materials on record that the deceased left behind a suicide note. The suicide note reads thus:

"I Balvinder Singh am giving a statement in my senses that I have been forced to commit suicide by Akash Sharma and his friend Purnima Yadav and Yashoda Bai, Sanjay Yadav who are close to me, all of them are trying to kill me (unclear). After my death, neither my brother will be given a shroud nor will he be buried. If they give him a shroud or burial, my soul will not get peace.

1 Balvinder Singh having forced by Akash Sharma and my tenant, am committing suicide because as long as my parents were alive, everything was fine. After my parents died, these people took advantage of handicapped people like us, meaning both husband and wife are handicapped. These people are taking advantage of this and 1 am unclear). I Balvinder Singh is (unclear) in my senses that I am dying under the pressure of others (unclear)".

7. At the end of the trial, insofar as the three co-accused are concerned, the Trial Court reached the conclusion that the prosecution had failed to prove the guilt of the accused beyond

reasonable doubt. To put it in other words, the Trial Court recorded a categorical finding that even if all the allegations as leveled are accepted to be true and even if whatever has been stated in the suicide note is believed to be true, none of the ingredients to constitute the offence of abetment of suicide could be said to have been made out. In fact, the trial court disbelieved the very execution of the suicide note by the deceased.

8. In such circumstances referred to above, we believe that putting the appellant now to trial on the same set of evidence will be an empty formality.

9. In such circumstances, we allow this appeal. The criminal proceedings against the appellant herein are hereby quashed.

10. Pending applications, if any, also stand disposed of.

……J
(J.B. PARDIWALA)

……J
(MANMOHAN)

NEW DELHI;
4TH NOVEMBER, 2026.

ITEM NO.41 COURT NO.6 SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.14971/2026

[Arising out of impugned final judgment and order dated 10-07-2026 in WPCR No. 380/2026 passed by the High Court of Chhattisgarh at Bilaspur]

AKASH SHARMA Petitioner(s)

VERSUS

STATE OF CHHATTISGARH & ORS. Respondent(s)

(IA No. 240415/2026 - EXEMPTION FROM FILING O.T. & IA No. 240416/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/ FACTS/ANNEXURES)

Date : 04-11-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :
Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Anand Shankar Jha- 2476, AOR
Mr. Shivang Dubey, Adv.
Mr. Sachin Mintri, Adv.
Ms. Nandika Kaushik, Adv.
For Respondent(s) :
Ms. Sugandha Jain, Adv.
Mr. Prabodh Kumar- 2406, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. **Leave granted.**

2. **The Appeal is allowed, in terms of the signed order.**

3. **Pending applications, if any, also stand disposed of.**

(VISHAL ANAND) (POOJA SHARMA)
DEPUTY REGISTRAR COURT MASTER (NSH)
(Signed Order is placed on the file)