



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Date of Decision: 19.01.2026

+ **FAO 501/2011**

KOMAL SINGH & ANRAppellant

Through: None.

versus

UNION OF INDIARespondent

Through: Mr. Rajesh Kumar, SPC with Ms.
Pragya Yadav, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

JUDGMENT (ORAL)

1. This appeal was instituted seeking to assail the order dated 19.07.2011 passed by the Railway Claims Tribunal, Principal Bench, *Delhi* in OA (Ilu) No. 58/2010, whereby the claim application filed by the legal heirs of the deceased *Veerpal* for death compensation was dismissed.
2. In the claim application, the legal heirs of the deceased *Veerpal* claimed that on 19.02.2009, the deceased left his house at about 2.00 pm for going to *New Delhi* from *New Town Faridabad*, and after purchasing a valid journey ticket, boarded the EMU train no. SNP 3 from *New Town, Faridabad* Railway Station. As there was heavy rush in the compartment, he was standing inside the gate of the compartment and when the train reached *Okhla* Railway Station, on account of a heavy jerk, he fell from the moving train. The incident was stated to be witnessed by one *Dharender*, who informed RPF at *Okhla* Railway Station. The RPF, in turn, informed the



family of the deceased about the incident. The post-mortem of *Veerpal* was conducted on the next day at *Aruna Asaf Ali Hospital*.

3. The respondent contested the claim, stating that since no journey ticket was recovered from the deceased *Veerpal*, he was not a *bona fide* passenger. It was further contended that the deceased met with an accident on account of his own negligence, and no compensation was payable therefore, as his act came under exception (c) of the *proviso* to Section 124A of the Railways Act, 1989.

4. *Vide* order dated 26.02.2014, the Predecessor Bench of this Court, while agreeing with the findings of the RCT, came to the conclusion that a concocted story was given by the legal heirs of the deceased, who were unjustly claiming statutory compensation. The Court, while reaching the said conclusion, took note of the statement of *Sahdev Singh*, RPF Constable, *Hazrat Nizamuddin*, who stated that the deceased had died while crossing the railway track. In the aforesaid background, the Registrar General of this Court was directed to conduct an inquiry under Section 340 Cr.P.C. against the appellants for filing a false case, leading false evidence, and filing a false affidavit before the RCT. The Registrar General was directed to give a report to this Court after completing the necessary inquiry within a period of 4 months.

5. The proceedings show that the said inquiry was conducted by the Registrar General and the order dated 02.03.2015 reflects that the report was submitted and directed to be placed before the Court. On the basis of the inquiry conducted, the Registrar General came to the conclusion that the appellants were liable to be prosecuted for giving false statement before this Court as well as the RCT.



6. It appears that thereafter the present matter came to be listed along with a batch of petitions wherein the Bench was seized of a larger issue. In between, appellant no. 1/*Komal Singh* statedly passed away and efforts to summon appellant no. 2/*Ram Murti* remained futile.

7. Section 340 Cr.P.C. provides for an inquiry and filing of a complaint in case the party is found to have committed offences referred to in Section 195(1)(b) Cr.P.C. The said provision reads as under:-

“340. Procedure in cases mentioned in section 195.—(1) When, upon an application made to it in this behalf or otherwise, any Court is of opinion that it is expedient in the interests of Justice that an inquiry should be made into any offence referred to in clause (b) of sub-section (1) of section 195, which appears to have been committed in or in relation to a proceeding in that Court or, as the case may be, in respect of a document produced or given in evidence in a proceeding in that Court, such Court may, after such preliminary inquiry, if any, as it thinks necessary,—

(a) record a finding to that effect;

(b) make a complaint thereof in writing;

(c) send it to a Magistrate of the first class having jurisdiction;

(d) take sufficient security for the appearance of the accused before such Magistrate, or if the alleged offence is non-bailable and the Court thinks it necessary so to do, send the accused in custody to such Magistrate; and

(e) bind over any person to appear and give evidence before such Magistrate

(2) The power conferred on a Court by Sub-Section (1) in respect of an offence may, in any case where that Court has neither made a complaint under Sub-Section (1) in respect of that offence nor rejected an application for the making of such complaint, be exercised by the Court to which such former Court is subordinate within the meaning of Sub-Section (4) of section 195.

(3) A complaint made under this section shall be signed,—

(a) where the Court making the complaint is a High Court, by such officer of the Court as the Court may appoint;

(b) in any other case, by the presiding officer of the Court or by such officer of the Court as the Court may authorise in



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writing in this behalf.

(4) In this section, "Court" has the same meaning as in section 195"

8. Accordingly, the Registrar General of this Court is directed to take immediate action in view of Section 340(1) Cr.P.C. and lodge a complaint with the concerned Judicial Magistrate First Class (JMFC). Let the entire record pertaining to the present appeal be transmitted to the concerned JMFC for further necessary action.

9. In view of what has been stated hereinabove, no further order is required to be passed in the appeal. The present appeal is, accordingly, disposed of.

**MANOJ KUMAR OHRI
(JUDGE)**

JANUARY 19, 2026/pmc