
A CRITICAL ANALYSIS OF THE SUPREME COURT'S RULING IN PRABHAT KUMAR MISHRA @ PRABHAT MISHRA V. STATE OF U.P. & ANR. (2024 INSC 172): ABETMENT TO SUICIDE OR ADMINISTRATIVE PRESSURE?

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ABSTRACT

The case of Prabhat Kumar Mishra @Prabhat Mishra v. State of U.P. & Anr. (2024 INSC 172) addresses the crucial thin line between administrative responsibility and criminal abetment under Section 306 of the Indian Penal Code. The appellant, a District Savings Officer, was accused of abetting the suicide of a subordinate employee, who left a note alleging humiliation and workplace harassment. The prosecution also invoked Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, though no caste-based motive was evident. The Supreme Court quashed the criminal proceedings and held that the suicide notes alone did not disclose any act of instigation or intentional aid by the appellant. Mens rea is a necessary ingredient for abetment to suicide and that mere workplace pressure or official reprimand cannot be criminalized. The Court also clarified that the particular SC/ST Act applies only where the offence is committed on account of caste identity. The judgement by the two honourable judges Justice B.R. GAVAI and Justice SANDEEP MEHTA, not only reinforces the principal that criminal liability must rest on clear intent and proximate causation.

PRIMARY DETAILS OF THE CASE

Case No.	:	Criminal Appeal No.(s). 1397 of 2024
Jurisdiction	:	Supreme Court of India
Case Filed On	:	Special Leave Petition filed in 2022 (SLP (Crl.) No. 9591 of 2022)
Case Decided On	:	5 th March, 2024
Judges	:	Justice B.R. Gavai, Justice Sandeep Mehta
Legal Provisions Involved	:	Section 306 of Indian Penal Code, 1860, Section 3(2)(v) of SC/ST (Prevention of Atrocities) Act, 1989, Section 482 of Code of Criminal Procedure, 1973
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FACTS OF THE CASE:

In this case of *Prabhat Kumar Mishra @Prabhat Mishra v. State of U. P. & Anr.*¹ The appellant was Prabhat Kumar Mishra, who was serving as the District Savings Officer, Kannauj District, while the respective respondent was The State of Uttar Pradesh & Anr.

The whole case started on 3rd October 2002, with the incident of Data Ram, a Senior Clerk posted in the Child Welfare Board, Fatehgarh, was found dead at his residence in Mohalla Gwal Toli, Fatehgarh, District Farrukhabad. It came to knowledge that he had committed suicide by consuming poison. A suicide note was recovered from the deceased, addressed to the District Magistrate. In the particular note, the deceased narrated the events happened to him of 1st and 2nd October 2002, describing how, Prabhat Kumar Mishra, the District Savings Officer, had telephoned him and directed him to come to the Kannauj for some official work. He sought permission from his immediate superior, the District Social Welfare Officer, who told him not to go since instructions had already been given to send the required records instead. Despite this, he was later called again by the Chief Development Officer (CDO), Shashidhar Dwivedi, and instructed to report to Kannauj. When he went to Kannauj, he was made to wait for hours and hours, reprimanded, and humiliated by the officers for not distributing widow pensions on time. The deceased mentioned that on the note that he was facing difficulty handling duties in

¹ Prabhat Kumar Mishra @Prabhat Mishra v. State of U.P. & Anr.

two districts simultaneously (Kannauj and Farrukhabad) and felt mentally harassed. Feeling insulted and unable to bear the “torture” from his superiors, he wrote, “ So, for avoiding from the torture of Shri Prabhat Mishra and Shri Shashidhar Dwivedi, Chief Development Officer, I am sacrificing my life, so that, I while visiting Kannauj, may not be compelled to be harassed till now, I have not been insulted and harassed by any learned District Magistrate/ Chief Development Officer, in this manner and all the Officers have appreciated my duties and work. With touching feet with respect, please forgive me. With best regards.”

Based on the suicide note founded, FIR No. 249/2002 was lodged at Police Station Kotwali, Fatehgarh, under, Section 306 of IPC (Indian Penal Code) (abetment of suicide)², and Section 3(2)(v) of the SC/ST (prevention of atrocities) Act, 1989³. Initially, the police filed a closure report, finding no sufficient evidence against the accused. Later, the investigation was reopened, and Charge Sheet No. 253/2002 was filed against the accused Prabhat Kumar Mishra @Prabhat Mishra under the same sections. The appellant filed an application under Section 482 of CrPC (Code of Criminal Procedure)⁴, 1973, before the Allahabad High Court seeking quashing of the criminal proceedings, arguing that:

- The suicide note did contain any instigation or abetment on his part.
- The allegations only reflected official work pressure and frustration, not abetment.

Therefore, the Honourable Allahabad High Court rejected the application on 26th July 2022. Aggrieved, the appellant approached the Supreme Court of India, challenging the High Court’s order. The Supreme Court examined whether the facts in the suicide note and charge sheet truly made out a case under Section 306 of IPC and Section 3(2)(v) of the SC/ST Act.

ISSUES FOR CONSIDERATION:

The issues to consider in this case of *Prabhat Kumar Mishra @Prabhat Mishra v. State of U. P. & Anr.* Are:

² Section 306 of Indian Penal Code, 1860, <https://devgan.in/ipc/section/306/>

³ Section 3(2)(v) of the SC/ST (prevention of atrocities) Act, 1989. chrome-extension://kdpelmjpfafjppnhbloffcjpeomlnpah/https://www.indiacode.nic.in/bitstream/123456789/15338/1/scheduled_castes_and_the_scheduled_tribes.pdf

⁴ Section 482 of CrPC (Code of Criminal Procedure), 1973, https://www.indiacode.nic.in/show-data?actid=AC_CEN_5_23_000010_197402_1517807320555§ionId=22899§ionno=482&orderno=532

1. Whether the allegations made in the suicide note and charge sheet constitute the offence of “abetment to suicide” under Section 306 of the Indian Penal Code (IPC)?
2. Does naming a superior officer in a suicide note is sufficient to hold that person criminally liable under Section 306 of IPC?
3. Was there any evidence that the alleged act was committed on the basis of the victim’s caste identity?
4. Whether the ingredients of Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989, were satisfied?
5. Whether the High Court was justified in rejecting the appellant’s petition under Section 482 CrPC for quashing of criminal proceedings?
6. Can ordinary acts of supervision or criticism in an official capacity be treated as “instigation” or “abetment”?

ARGUMENTS BY THE PARTIES:

APPELLANT:

- There is no evidence of any instigation, intentional aiding, or active participation by the appellant in causing the deceased to take his own life. The suicide note only reflects the deceased’s frustration, emotional stress, and work-related pressure, not deliberate any type of harassment or provocation by the appellant.
- The appellant merely discharged his official duties as a superior officer and did not act with any intention to push the deceased toward suicide.
- Even if all the allegations in the suicide note are accepted as true, they do not constitute the offence of abetment to suicide.
- The appellant was falsely implicated merely because his name appeared in the suicide note, the entire prosecution is based solely on that note, without any corroborative evidence. Continuing such a case would amount to an abuse of the process of law, as it lacks any legal foundation for a criminal trial.

- The prosecution under Section 3(2)(v) of the SC/ST Act was completely unwarranted because, 1. There is no allegation that the appellant acted on account of the deceased's caste. 2. The alleged acts were official in nature, not motivated by any caste discrimination. Therefore, Section 3(2)(v) was wrongly invoked by the investigating agency.
- The Investigation Officer initially filed a closure report, meaning no offence was found after full investigation. Reopening the case later, without any new evidence, was illegal and arbitrary.
- The High Court of Allahabad wrongly dismissed the appellant's petition to quash the proceedings. The Court failed to appreciate that no prima facie case was made out even if the prosecution's version was fully accepted.

RESPONDENT:

- The deceased specifically stated that he was insulted and humiliated, and mentally tortured by both officers (Prabhat Kumar Mishra-District Savings Officer and Shashidhar Dwivedi-Chief Development Officer), and that their conduct made his life unbearable. Therefore, the necessary ingredients of abetment under Section 306 of IPC are present.
- The suicide note is a crucial piece of evidence, as it is a dying declaration of the deceased. It must be treated as reliable material at the stage of framing of charges, and the allegations must be tested during the trial.
- The High Court rightly dismissed the appellant's application under Section 482 of CrPC, it correctly held that the suicide note disclosed a prima facie case.
- Whether the conduct of the appellant truly amounted to abetment or official supervision is a matter of evidence.

JUDGEMENT IN BRIEF:

The Supreme Court began by noticing that the prosecution against the appellant was based solely on the suicide note written by the deceased, Data Ram. Though the suicide note reflected

the deceased's work-related frustration and emotional stress, but there was no evidence of deliberate provocation or "active role" played by the appellant that could constitute abetment to suicide under Section 306 of IPC. The Court further held that the charge under Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989 was *ex facie* illegal and unsustainable, because there were no allegations anywhere that the offence was committed on the account of the deceased's caste. To attract this provision, the act must be motivated by caste-based discrimination, which was absent in this case. The Court relied on *Masumsha Hasanasha Musalman v. State of Maharashtra* (2000) 3 SCC 557⁵, where it was held that unless the offence is committed because of the victim belongs to an SC/ST, Section 3(2)(v) does not apply.

The Court explained the legal principles governing abetment of suicide, "Abetment" under Section 107 of IPC involves investigation, conspiracy, or intentional aiding in the act of suicide. There must be a direct or proximate link between the accused's act and the suicide. Mere harsh words, criticism, or official supervision cannot amount to abetment unless there is a *mens rea* to provoke the suicide.

The Court referred to several precedents, including:

- *Netai Dutta v. State of West Bengal* (2005) 2 SCC 659⁶
- *M. Mohan v. State* (2011) 3 SCC 626⁷
- *Ramesh Kumar v. State of Chhattisgarh* (2001) 9 SCC 618⁸
- *State of West Bengal v. Orilal Jaiswal* (1994) 1 SCC 73⁹

These Judgements mainly focused on, "without a positive act of instigation or aid, conviction under Section 306 of IPC cannot be sustained."

⁵ *Masumsha Hasanasha Musalman v. State of Maharashtra* (2000) 3 SCC 557.
<https://www.casemine.com/judgement/in/5609ad6fe4b0149711411691>

⁶ *Netai Dutta v. State of West Bengal* (2005) 2 SCC 659
<https://indiankanoon.org/search/?formInput=netai%20dutta&pagenum=0>

⁷ *M. Mohan v. State* (2011) 3 SCC 626 <https://indiankanoon.org/doc/184111796/>

⁸ *Ramesh Kumar v. State of Chhattisgarh* (2001) 9 SCC 618 <https://indiankanoon.org/doc/229273/>

⁹ *State of West Bengal v. Orilal Jaiswal* (1994) 1 SCC 73
<https://www.casemine.com/search/in/orilal%2Bjaiswal>

After examining the suicide note, the court held that, the deceased appeared frustrated by work pressure and dual district responsibilities, his decision to commit suicide was not due to any intentional instigation by the appellant. The suicide note did not contain any specific act or word of the appellant that could be seen as encouragement or provocation to end life; hence, the essentials ingredients of Section 306 of IPC were not made out.

The court noted that the IO (Investigating Officer) had initially filed a closure report, indicating that no case was made out after investigation. The reopening of investigation and filing a charge sheet later, without any new evidence, amounted to misuse of process. Continuing the criminal proceedings in such circumstances would amount to “gross abuse of process of law.”

The Supreme Court allowed the appeal and held that, 1. The charge under Section 306 of IPC was not made out. 2. The charge under Section 3(2)(v) of the SC/ST Act was illegal and unwarranted. 3. The order of the Allahabad High Court dated 26th July 2022 was set aside. All criminal proceedings against the appellant in Criminal Case No. 6476 of 2005 (arising from FIR No. 249/2002, P.S. Kotwali, Fatehgarh) were quashed.

COMMENTARY:

The judgement in *Prabhat Kumar Mishra @Prabhat Mishra v. State of U.P. & Ar. (2024 INSC 172)* reflects a careful and legally sound interpretation of Section 306 of IPC and the SC/ST Act, but also brings light to a deep social concern, the silent burden of workplace, emotional and mental stress and its impact of life and health.

The Supreme Court correctly concluded that the allegations, even if accepted as true, did not satisfy the essentials of abetment, because there was no proof of intentional instigation or deliberate provocation by the appellant. Criminal liability, as the Court reiterated, must be rooted in mens rea and a clear causal link between the accused's conduct and the suicide. The principal safeguard innocent officials from being punished for actions taken in the ordinary course of administrative duties.

Though I highly agree with the Supreme Court's decision but while the court mainly focused on the legal threshold for abetment, it also indirectly highlights a critical human dimension that continuous workplace pressure, humiliation, or lack of emotional support can push vulnerable individuals to despair. Not everyone has strong mental power to fight against the heavy

workloads, rigid hierarchies, and lack of emotional support. People who are vulnerable emotionally, mentally it is very tough for them to survive in this toxic work culture. Modern workplaces, particularly in government or bureaucratic structures, often place employees under heavy workloads, rigid hierarchies, and public reprimands, which can lead to severe emotional distress and depression to individuals. In such situations, even without instigation or mens rea in the legal sense, the mental turmoil, the mental distress or depression can be overwhelming enough to cause a person to see no way out.

The judgement specially reminds me that not every tragedy is a crime, but it also serves as a wake-up call for institutions to address the mental health crisis emerging from stressful professional environments. While law cannot punish every instance of workplace cruelty, organizations have a moral responsibility to foster empathy, and create systems and environment where employees can safely express distress before it leads to irreversible consequences.

In essence, I agree with the Supreme Court's reasoning, it correctly draws the line between legal culpability and emotional consequences, yet it should encourage society and the State to recognize that workplace stress, if unchecked, can be just as dangerous as active harassment.