



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: COR 2015 0145

FINDING INTO DEATH WITHOUT INQUEST

Amended pursuant to s.76 and S.76A of the *Coroners Act 2008* (Vic) on 15 October 2021 by order of State Coroner
Judge Cain*

Form 38 Rule 60(2)

Section 67 of the Coroners Act 2008

Findings of:	JUDGE SARA HINCHEY, STATE CORONER
Deceased:	NIKITA CHAWLA
Date of birth:	21 June 1991
Date of death:	9 January 2015
Cause of death:	Multiple head and neck injuries
Place of death:	Unit 13, 47 Waxman Parade, Brunswick West

*In paragraph 23, Tarang Chawla was incorrectly referred to as the sister of Nikita Chawla. Tarang Chawla is the brother of Nikita Chawla. This error has now been amended.

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HER HONOUR:

BACKGROUND

- 1 Nikita Chawla (Ms Chawla) was born in Australia on 21 June 1991. She was the youngest child to Umesh and Sunila Chawla, and the younger sister to Tarang Chawla.
- 2 Ms Chawla grew up in Bentleigh and attended St Catherine's Primary School and later Presbyterian Ladies College where she completed her VCE in 2009.
- 3 After graduating from High School, Ms Chawla enrolled in a Bachelor of Performing Arts degree at Monash University. She completed her final exams in 2014 and was due to graduate in 2015. Ms Chawla had a passion for Classical Indian and Bollywood dance.
- 4 In 2010, Ms Chawla established her own business, a dance school called Bollywood Funk Creations, where she taught dance. In December 2014, Ms Chawla's passion for choreography was show-cased when she produced her first major project; a music video clip for the international group 'Naturally 7'. Ms Chawla had aspirations to be a world famous Bollywood dancer and choreographer.
- 5 Parminder Singh¹ (**Mr Singh**) and Ms Chawla met in February 2011. For various reasons, the relationship and subsequent marriage on 8 December 2011 was kept secret from Ms Chawla's family.
- 6 On 15 June 2012, Ms Chawla introduced Mr Singh, under the name 'Robin', to her family at a restaurant in Moorabbin. This was the first time the family had been introduced to Mr Singh. That meeting was apparently not a success and Mr Singh concluded that Ms Chawla's family disapproved of him. Despite this, the relationship continued and on 23 January 2013 they travelled to India and Ms Chawla met Mr Singh's family. Ms Chawla and Mr Singh returned on 20 February 2013.
- 7 In April 2013, Mr Singh and Ms Chawla signed a lease for unit 13 at 47 Waxman Parade, Brunswick West. Ms Chawla and Mr Singh lived together in the one bedroom unit up until Ms Chawla's death on 9 January 2015.
- 8 In March 2014, Mr Singh obtained permanent residence in Australia as a consequence of his marriage to Ms Chawla.²
- 9 Evidence reveals that Ms Chawla suffered from anxiety and depression and sought the

¹ Born 14 December 1985

² In 2010, Mr Singh obtained a bridging visa for residence in Australia.

assistance of a psychologist from April 2013.

- 10 In August 2014, Ms Chawla sought the assistance Victoria Police and Ambulance Victoria after she found Mr Singh in an anxious and aggressive state. Mr Singh was taken to the Royal Melbourne Hospital and discharged an hour later. Mr Singh apparently realised at this time that his anger was a risk to Ms Chawla.
- 11 Following this incident, Mr Singh sought the assistance of a psychologist, and continued with therapy until he travelled to India to see his family on 6 December 2014. Mr Singh's psychologist considered that Mr Singh was alcohol- and cannabis-dependent and that he 'most likely' suffered from generalised anxiety disorder, depression and panic attacks.
- 12 While Mr Singh was in India he formed the belief that his marriage was deteriorating. During this time Ms Chawla commenced work at a health insurance company and formed a relationship with a male work colleague. Also during this time, Ms Chawla decided to end her marriage to Mr Singh.
- 13 In early January 2015, while Mr Singh was in India, communications between Mr Singh and Ms Chawla were poor as Mr Singh was angry. Ms Chawla, having decided to separate from Mr Singh, told others of her intention and commenced looking for somewhere else to live.
- 14 On 7 January 2015, Mr Singh returned to Australia from India. Mr Singh suspected that Ms Chawla was conducting a relationship with another man. On the following day, Mr Singh gained access to Ms Chawla's mobile phone while she slept. Mr Singh discovered a series of messages between Ms Chawla and another person (believed to be male). Mr Singh formed the belief that Ms Chawla was having a relationship with this person. Mr Singh stated that he felt betrayed.

THE PURPOSE OF A CORONIAL INVESTIGATION

- 15 Ms Chawla's death constituted a '*reportable death*' under the *Coroners Act 2008* (Vic) (**the Act**), as her death occurred in Victoria, and was violent, unexpected and not from natural causes.³
- 16 The jurisdiction of the Coroners Court of Victoria is inquisitorial.⁴ The purpose of a coronial investigation is independently to investigate a reportable death to ascertain, if

³ Section 4 *Coroners Act 2008*.

⁴ Section 89(4) *Coroners Act 2008*.

possible, the identity of the deceased person, the cause of death and the circumstances in which the death occurred.

- 17 It is not the role of the coroner to lay or apportion blame, but to establish the facts.⁵ It is not the coroner's role to determine criminal or civil liability arising from the death under investigation, or to determine disciplinary matters.
- 18 The "cause of death" refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.
- 19 For coronial purposes, the circumstances in which death occurred refers to the context or background and surrounding circumstances of the death. Rather than being a consideration of all circumstances which might form part of a narrative culminating in the death, it is confined to those circumstances which are sufficiently proximate and causally relevant to the death.
- 20 The broader purpose of coronial investigations is to contribute to a reduction in the number of preventable deaths, both through the observations made in the investigation findings and by the making of recommendations by coroners. This is generally referred to as the 'prevention' role.
- 21 Coroners are also empowered:
 - (a) to report to the Attorney-General on a death;
 - (b) to comment on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and
 - (c) to make recommendations to any Minister or public statutory authority on any matter connected with the death, including public health or safety or the administration of justice. These powers are the vehicles by which the prevention role may be advanced.
- 22 All coronial findings must be made based on proof of relevant facts on the balance of probabilities. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.⁶ The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about individuals, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.

⁵ *Keown v Khan* (1999) 1 VR 69

⁶ (1938) 60 CLR 336

MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE

Identity of the Deceased pursuant to section 67(1)(a) of the *Coroners Act 2008*

23 On 12 January 2015, the Deceased was visually identified by her brother, Tarang Chawla, to be Nikita Chawla, born 21 June 1991.

24 Identity is not in dispute in this matter and therefore requires no further investigation.

Medical cause of death pursuant to section 67(1)(b) of the *Coroners Act 2008*

25 On 9 January 2015, Dr Jacqueline Lee, a Forensic Pathologist practicing at the Victorian Institute of Forensic Medicine, conducted an autopsy on Ms Chawla's body. Dr Lee's examination revealed approximately 35 wounds.

26 Dr Lee provided a written report, dated 12 February 2015, which concluded that a reasonable cause of death was "*multiple head and neck injuries.*"

27 A full toxicological analysis conducted on post mortem blood extracted from Ms Chawla's leg did not reveal any evidence of common drugs or poisons.

Circumstances in which the death occurred pursuant to section 67(1)(c) of the *Coroners Act 2008*

28 While there is no independent evidence as to what occurred between Ms Chawla and Mr Singh on 8 January 2015, the evidence reveals that at approximately 1.30am on 9 January 2015, Mr Singh rang '000', in a calm and detached tone of voice and told the operator that he had killed his wife and that he required police officers to attend to "*collect the dead body.*" Mr Singh told the operator that he had used a knife to cut his wife's throat. Mr Singh also stated:

*"I got my wife - right - I killed her. I love her so much, I had a bright future with her and then she's been cheating on me ... I just find out today and I - I think my anxiety took over and then I lost it ... I think I couldn't control myself and I hold a big knife and kept hitting her until she stopped breathing."*⁷

29 As a result of this call police officers attended the Waxman Parade apartment and found Ms Chawla's body in the only bedroom. She had suffered stab wounds to her neck, face, head and arms. Next to the bed was the meat cleaver Mr Singh had used to inflict these wounds.

30 After killing Ms Chawla and calling '000', Mr Singh left the premises and began walking

⁷ Exhibits 8 (Disc 2) and 9 (Appendix C).

the streets of Brunswick West. He was subsequently arrested by police officers on the Tullamarine Freeway overpass at Albion Street. During Mr Singh's Supreme Court plea hearing for the murder of Ms Chawla, his counsel submitted that it was Mr Singh's intention to take his own life.

31 Mr Singh admitted to the police officer he first spoke to that he killed Ms Chawla. After his arrest, and during a record of interview with police officers, Mr Singh described discovering that Ms Chalwa had been seeing another man. Mr Singh claimed that he then had some kind of black out at the time he attacked Ms Chawla. He claimed he did not recall exactly the detail of what he did. However, he recalled seeing some photographs on Ms Chawla's phone of man he believed she was involved with; then he had the knife and then he said he got scared.

COMMENTS PURSUANT TO SECTION 67(3) OF THE *CORONERS ACT 2008*

32 The unexpected, unnatural and violent death of a person is a devastating event. Violence perpetrated by a family member is particularly shocking, given the family unit is expected to be a place of trust, safety and protection.

33 I requested that the Coroners Prevention Unit (CPU)⁸ examine the circumstances of Ms Chawla's death as part of the Victorian Systemic Review of Family Violence Deaths (VSRFVD).⁹

34 CPU identified that Ms Chawla and Mr Singh were experiencing a relationship breakdown and separation. An actual or pending separation is known to increase the risk of family violence occurring and escalating. Mr Singh also had the individual risk factors of substance abuse and mental health issues and had disengaged from treatment prior to the fatal incident.

35 I note that there is no known history of Victoria Police being involved with issues related to Ms Chawla and Mr Singh's relationship.

36 On 9 January 2015, Mr Singh was charged with Ms Chawla's murder. On 9 October 2015, Mr Singh pleaded guilty to one count of murder. On 17 December 2015, Mr Singh was convicted of murder and sentenced to 22 years imprisonment with a non-parole period of 17 years.

⁸ The Coroners Prevention Unit is a specialist service for Coroners established to strengthen their prevention role and provide them with professional assistance on issues pertaining to public health and safety.

⁹ The VSRFVD provides assistance to Victorian Coroners to examine the circumstances in which family violence deaths occur. In addition, the VSRFVD collects and analyses information on family violence-related deaths. Together this information assists with the identification of systemic prevention-focussed recommendations aimed at reducing the incidence of family violence in the Victorian community.

37 I note and endorse the following sentencing remarks of Justice Lasry:

“Your actions in murdering your wife were, in many respects, an exercise of control to ensure that she did not share her life with anyone else and you appear willing to pay the price that the community imposes on you for doing that.

What can be said about this murder as an extreme example of family violence that has not already been said in so many other cases? You murdered someone you professed to love. You murdered someone who had no capacity to defend herself from the attack you launched against her. Despite feeling betrayed, you murdered someone who was completely entitled to end her marriage to you and form a relationship with someone else if she wished to. As the victim impact statements I have heard and read show, you murdered someone who was loved by her family. You also murdered someone with the majority of her life still ahead of her. You did that in circumstances where there is very little, if anything, that mitigates your behaviour. Your culpability is very high indeed. Domestic violence is rightly the subject of significant public interest after decades of it being ignored or trivialised. This is an extreme example of domestic violence. Nikita Chawla did nothing whatsoever to in any way contribute to what you did to her. Whilst it appears that you were acting spontaneously, in my opinion you acted with some degree of vengeance and control.

Nothing about your relationship with your wife and the fact that it appeared to be failing can mitigate this crime.”¹⁰

38 In the course of my investigation I did not identify any prevention matters arising from the circumstances of Ms Chawla’s death.

FINDINGS AND CONCLUSION

39 Having investigated the death, without holding an inquest, I make the following findings pursuant to section 67(1) of the *Coroners Act 2008*:

- (a) that the identity of the deceased was Nikita Chawla, born 21 June 1991;
- (b) that Mr Singh caused Ms Chawla’s death; and
- (c) that Ms Chawla died on 9 January 2015, at Unit 13, 47 Waxman Parade, Brunswick West from multiple head and neck injuries in the circumstances set out above.

40 I convey my sincerest sympathy to Ms Chawla’s family and friends.

41 Pursuant to section 73(1) of the *Coroners Act 2008*, I order that this Finding be published on the internet.

¹⁰ *The Queen v Parminder Singh* [2015] VSC 738; sentencing remarks at pages 8-9.

42 I direct that a copy of this finding be provided to the following:

- (a) Ms Chawla's family, senior next of kin.
- (b) Detective Senior Constable Megan Adams, coroner's investigator.
- (c) Detective Inspector Michael Hughes, Homicide Squad, Victoria Police.

Signature:



Judge John Cain
STATE CORONER

Date: 15/10/2021