

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30734 of 2016

.....

Date of decision:1.9.2016

Lokesh

...Petitioner

v.

State of Haryana

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

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Present: Mr. A.P.S. Deol, Senior Advocate with Mr. Daldeep Singh,  
Advocate for the petitioner.

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**Inderjit Singh, J.**

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.146 dated 12.4.2016 registered for the offences under Sections 306 read with Section 34 IPC at Police Station Badshahpur, District Gurgaon.

I have heard learned counsel for the petitioner and have gone through the record.

The FIR in the present case has been registered on the statement of Vimal Kumar, who stated that his elder brother Prem Parkash had lent money to Lokesh, Naresh, Lilu and Aruna. Whenever his brother used to ask them to return his money, the above persons used to quarrel and fight with him. Due to this, his brother Prem Parkash had committed

suicide by hanging himself. It is also stated in the FIR that before death, Prem Parkash had written a suicide note. Copy of the suicide note has also been placed on record, in which the allegations against the present petitioner are that he has been harassing him. Firstly, he misbehaved with his wife and thereafter he gave beating to him in front of SHO Parveen Kumar and Police staff. It is also in the suicide note that Lokesh and Naresh had hurled abuses to his wife and beaten her and in this regard an FIR has been registered against them in Police Station Badshahpur. A perusal of the suicide note, which is a detailed one, and in view of the contents of the FIR, I find that the present petitioner is the main accused. His name has been mentioned in the FIR. Specific allegations are against him. Therefore, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail. Otherwise also, in view of the nature and gravity of the offence, the petitioner is required for custodial interrogation.

At the time of arguments, learned senior counsel for the petitioner argued that this suicide note is a forged one. Keeping in view the fact that investigation is at a preliminary stage and at this stage, there is nothing to show that this suicide note is a forged one and in view of the allegations in the FIR, the petitioner is not entitled to the benefit of anticipatory bail.

Learned counsel for the petitioner has also placed reliance on the judgments of different High Courts i.e. Ajay Patodia v. State of M.P., 2003 (4) R.C.R. (Criminal) 728 (MP); Vivek Kumar Jain and another v. State of M.P. and another, 2015 (5) R.C.R. (Criminal) 396 (MP);

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Vedprakash Bhaiji v. State of M.P., 1995 Cri. L.J. 893 (MP) and Roop Kishore Madan v. State, 2001 (3) R.C.R. (Criminal) 26 (Delhi). I have gone through these judgments which are having distinguished facts will not apply to the facts in the present case.

Therefore, finding no merit in this petition, the same is dismissed.

September 1, 2016.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |