

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(1) CRM No.M-32326 of 2016 (O&M)

Kavish Sharma

...Petitioner

Versus

State of Punjab

...Respondent

(2) CRM No.M-34785 of 2016 (O&M)

Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: November 22, 2016

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Anmol Rattan Sidhu, Senior Advocate with
Mr.Pratham Sethi, Advocate
for the petitioners.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together being
arisen from same FIR.

Petitioners have filed these petitions under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.94 dated 10.08.2016 under
Section 306 IPC registered at Police Station Kartarpur, District Jalandhar.

Notice of motion was issued in both the cases. Learned State counsel appeared and contested the petitions.

Police record is also available.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

The FIR in the present case has been registered on the basis of the statement of Amit Kumar. As per the complainant, his younger brother namely Sanjiv Kumar was under tension and he and brother-in-law of his brother Sanjiv Kumar enquired from him regarding his tension and he told that he borrowed ₹20 lakhs from Raja Sai and ₹18 lakhs from Varun Chopra on the pretext of giving them gold after bringing from outside but the person who was to bring the gold, was arrested by the Customs Department and they used to harass him. Apart from this, Deepak Kumar, Murtianwala, whose shop was in front of Jagoo Chowk Mandir, were doing the work of bookies and he was also upset from them. He borrowed money from Raju Sai and Varun Chopra and these persons, after alluring, stated that money given to him, shall be adjusted with the bookies. Sanjiv Kumar further told that he has to pay the heavy amount to the aforesaid persons as they used to harass him.

As per prosecution version, Sanjiv Kumar consumed poisonous substance after mixing the same in beer in Hotel Wood City Kartarpur. The deceased has left the suicide notes. The supplementary statement of complainant was also recorded in which he has clarified that Kavish Sharma is the Murtianwala.

On the other hand, learned State counsel argued that names of

mentioned in the suicide notes and due to harassment given by them, Sanjiv Kumar committed suicide.

Keeping in view the nature and gravity of the offence and in view of the facts and circumstances of the present case and without discussing the facts of the case in minute detail and without expressing any opinion on merits of case, I do not find it a fit case where petitioners are entitled to benefit of anticipatory bail.

Therefore, finding no merit in both the petitions, the same are dismissed.

November 22, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No