

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

**Crl. Misc. No. M-44474 of 2016**

**Date of decision : 04.01.2016**

**Deepak Kumar**

**..... Petitioner**

**versus**

**State of Haryana**

**... Respondent**

**CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. J.S. Thind, Advocate for the petitioner

Mr. Hitesh Pandit, Addl. A.G. Haryana

Mr. Dheeraj Narula, Advocate for the complainant

**ANITA CHAUDHRY, J. (ORAL)**

The petitioner is seeking anticipatory bail in FIR No. 203 dated 04.11.2015 registered at Police Station Ding, District Sirsa under Sections 306, 506, 34 IPC.

The allegations in the FIR are that the deceased Mukesh had financial dealings with Rajesh Gandhi and he had paid a sum of Rs. 24 lacs. The deceased approached Rajesh and his brother Deepak Gandhi and his family who refused and they also threatened to kill him. The family found a suicide note which has been handed over to the police. A supplementary statement was given by the complainant. The police had interrogated the mother of the petitioner who had admitted of taking Rs. 2 ½ crores from different persons. In the supplementary statement given by the complainant there is a reference to the amount which the petitioner had to pay.

The submission made on behalf of the petitioner is that the amount was allegedly lent to the petitioner's brother and not to

the petitioner and there is no document to evidence that any amount was lent and the original suicide note had not been handed over to the police and the genuineness of the transactions is yet to be verified and the petitioner was ready to join the investigation and there are no allegations of abetment.

The complainant side and the State counsel have opposed the bail application. They have placed on record the copy of the suicide note as well as supplementary statement made by the complainant and the statement given by Santosh – mother of the petitioner. It had also been stated that the original suicide note had been sent to the FSL.

The submission on behalf of the complainant is that Rajesh, brother of the petitioner is absconding and supplementary statement refers to the amount which the petitioner was to pay and it is a case where the petitioner had aided in the suicide and recovery is to be effected.

Learned State counsel urges that custodial interrogation would be necessary.

The petitioner has been named in the FIR and also in the suicide note. The allegations are serious. The petitioner alongwith his brother had pushed him into such a state of mind that he had to end his life.

No case for anticipatory bail is made out.

The petition is dismissed.

**January 04, 2016**

**(ANITA CHAUDHRY)  
JUDGE**