

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

CRM-M No. 10979 of 2017
Date of Decision: 11.05.2017

ROHIT GUPTA

-PETITIONER

VS

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Manhas, Advocate
for the petitioner.

Mr. P.S. Ghuman, Additional A.G., Punjab.

Mr. Vivek K. Thakur, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

The FIR was registered at the instance of Sham Mittal, father of the deceased. Ashish Mittal died by committing suicide. One suicide note was allegedly recovered by the father of the deceased from the pocket of Ashish Mittal and second suicide note was found in the shop and the same was also handed over to the police. Vernaculars of both the suicide notes have been placed on record.

Though both the suicide notes carry no date of execution but learned State counsel on instructions from ASI Balwinder Kumar duly assisted by learned counsel for the complainant submitted that name of the petitioner is the

common factor in both the suicide notes and an amount of Rs.30 lacs is also mentioned in both the suicide notes. Second suicide note is the elaboration of first suicide note.

Learned counsel for the complainant submitted that petitioner is an influential person and the factum of his influence is also mentioned in the suicide note wherein the accused threatened the deceased that he will get him arrested with the help of one Satish Mahajan of Sahni Sweets.

After registration of the case, petitioner was not arrested for four months and the complainant ventured to file CRM-M No.1868 of 2017 in which notice of motion was issued on 10.01.2017 and thereafter, petitioner filed an application for anticipatory bail before the court of Sessions.

At this stage, without embarking upon merits of the case, I think that custodial interrogation of the petitioner is necessary in order to extract incriminating material.

No indulgence can be granted under Section 438 Cr.P.C.

Accordingly, the present petition is dismissed.

11.05.2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No