

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

CRM-M-2716-2017

Date of decision :12.07.2017

Rakesh Chhabra @ Babbu Chhabra

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. O.P. Kamboj, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by petitioner-
Rakesh Chhabra @ Babbu Chhabra an accused in FIR No.121 dated
29.08.2016 under Section 306 IPC registered with Police Station Sadar
Fazilka, District Fazilka.

Briefly stated the allegations are that one Ramesh Kumar father
of complainant Pawan Kumar was running a shop of Ayurvedic medicine in
Mohalla Katika at Fazilka had committed suicide on 28.08.2016. A suicide
note was found in pocket of pant worn by the deceased, in which, it was
mentioned that deceased had taken loan from the petitioner and in lieu of
that the petitioner had taken sale deed of house, besides, receiving signed
blank cheque, blank stamp paper and pro-note; that despite entire amount
having been repaid, the petitioner was not returning the said papers and was

rather threatening the deceased, in that way the petitioner had abetted the suicide of deceased.

Apprehending his arrest in the case, the petitioner had approached Court of learned Additional Sessions Judge at Fazilka praying for grant of pre-arrest bail who was unsuccessful there. Then he came to this Court for similar relief and vide order dated 14.03.2017 he was granted interim bail.

The State counsel on instructions from ASI Harbans Lal from police station concerned had stated that the petitioner had since joined the investigation and has been released on interim bail. As regards the documents said to be in possession of the petitioner, learned counsel for the petitioner had made statement in the Court on 14.03.2017 that the petitioner would have no claim with regard to any residential estate of the deceased and qua his surviving legal heirs.

Learned State counsel submits that complainant Pawan Kumar in his statement recorded with Investigating Officer on 06.11.2016 has stated that he has found the sale deed of his house at his own home. In that way the custodial interrogation of the petitioner is not found necessary. Therefore, interim bail of the petitioner vide order dated 14.03.2017 is made absolute subject to the following conditions:

- i) he shall make himself available for investigation by a police officer as and when required;
- ii) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

iii) he shall not leave India without the previous permission of the Court; and

iv) he shall surrender his passport before the Investigating Officer if he has got one otherwise to furnish affidavit in that regard.

The petition stands allowed accordingly.

12.07.2017
Gaurav Sorot

(H.S. MADAAN)
JUDGE

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**