

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

**CRM No.M-46034 of 2016 (O&M)
Date of Decision: 13.02.2017**

Kawal Jeet

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vishwajeet Singh, Advocate for the petitioner.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana.

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TEJINDER SINGH DHINDSA, J.

This is the second petition preferred by the petitioner under Section 438 Cr.P.C. seeking concession of anticipatory bail in case FIR No.285, dated 07.08.2016, under Sections 306/34 IPC, registered at Police Station Sadar Jind, District Jind.

FIR came to be registered at the instance of Deepak pertaining to suicide having been committed by his father Sita Ram on 06.08.2016.

Complainant asserted that his father (since deceased) was owner of 2 ½ acres of land. He was having four sisters and out of whom one was married to Rakesh. Present petitioner is the elder brother of Rakesh. As per complainant's version, his brother-in-law Rakesh along with the present petitioner as also one Naresh Kumar Pehlwan were into the business of property dealing. The property business/property dealings having suffered a loss, Rakesh co-accused is stated to have prevailed upon his father-in-law to sell his agricultural land on the inducement that the money would be paid back. Thereupon Sita Ram deceased sold the land for a sale consideration of Rs.44 lacs. Such amount of money having not been returned inspite of intervention by the Panchyat, Sita Ram took the extreme step of ending his

life by consuming some poisonous substance.

Counsel appearing for the petitioner would contend that the main accused is Rakesh and who has already been granted benefit of regular bail. It is submitted that investigation qua Rakesh has already concluded and even the challan has been presented. It is further argued that even as per version of the complainant, the entrustment of money i.e. Rs.44 lacs was to the main accused Rakesh and it was Rakesh, who had not returned the money inspite of the same having been demanded back by Sita Ram (since deceased).

Having heard counsel for the parties at length, I am not inclined to grant in favour of the petitioner, concession of pre-arrest bail.

The specific allegations against the petitioner are of being together with the main accused Rakesh as also one Naresh Kumar Pehlwan and indulging in property dealing business. The allegations, if construed as a whole are a pointer towards son-in-law having prevailed on the strength of his relationship with the deceased and virtually having forced him to sell the land holding for a substantial amount of money and such money having not been returned. As per complainant, even a khap panchayat had been convened and during such period not only the main accused but even the present petitioner had threatened the deceased.

Learned State counsel has apprised the Court that even the suicide note was found in a torn condition. Even though the final report/expert opinion on the suicide note is yet awaited but in the contents thereof, the name of the present petitioner along with main accused Rakesh and Naresh Kumar Pehlwan prominently figures.

Keeping in view the specific allegations made against the present petitioner as also the gravity of the offence, this Court is not inclined to accept the prayer of petitioner for grant of anticipatory bail.

Petition is dismissed.

13.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |