

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

CRL. MISC. No.M-7768 OF 2017
DATE OF DECISION : 7th MARCH, 2017

Kartar Singh Kataria

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Paramjit Singh Sullar, Advocate for the petitioner.

Mr. Arun Luthra, Advocate for

Mr. Anand Bhardwaj, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties at length.

Perused the impugned order. In para 7 the trial Court has made the following observations, while dismissing the bail application:

“7. On the other hand, it has been argued by the learned Public Prosecutor for the respondent-State assisted by learned counsel for the complainant that in the suicide note recovered from the wearing clothes of the deceased, there is specific allegation against the applicant-accused and other co-accused to be responsible for their death. It has been further argued by the learned Public Prosecutor for the respondent-State assisted by learned counsel for the complainant that the applicant-accused and co-accused had blackmailed the deceased and they had also obtained the signatures of the deceased on some blank papers. It has been further argued by the learned Public Prosecutor for the respondent-State assisted by learned counsel for the complainant that all the

ingredients to attract the provision of section 306 IPC are fulfilled in this case. Recovery of MB etc. is to be effected in this case and the custodial interrogation of the applicant-accused is required in this case for the purpose of further investigation and thus, prayed that keeping in view the seriousness and gravity of the offence, bail application may kindly be dismissed.”

I have gone through the suicide note with the assistance of learned counsel for the complainant. My attention is invited to the last portion of the suicide note, which states that the CBI has investigated his role. But that has nothing to do with the present offence. In the present case it is seen that the allegations are that the petitioner was blackmailing the deceased and secondly signatures of the deceased were obtained on blank papers. I think this is a matter of investigation and therefore, the petitioner’s custodial interrogation is necessary.

In that view of the matter this petition for anticipatory bail cannot be entertained and the same is hereby dismissed.

In case the petitioner applies for regular bail before the trial Court the same shall be decided expeditiously.

7th March, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>