

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

**CRM No.M-27156 of 2018 (O&M)**

**Date of Decision: July 11, 2018**

Surender Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Ms.Baljit Mann, Advocate  
for the petitioner.

Mr.B.S.Virk, DAG, Haryana  
for the respondent-State.

Mr.Ashok Aggarwal, Advocate  
for the complainant.

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**INDERJIT SINGH, J.**

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.223 dated 14.06.2018 under Section 306 IPC, registered at Police Station Sadar, Fatehabad.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, first of all, allegation against the petitioner is that he went to the house of Krishan

Kumar (deceased) and enquired about him from his mother (complainant)

and told her that he is to take ₹20,000/- from Krishan Kumar. As per allegations, petitioner-accused also told her that he will not spare Krishan Kumar and left after threatening the complainant. As per FIR, body of Krishan Kumar was found hanging from a tree in the evening on that day. The allegation against the petitioner is that he demanded money, pressurized Krishan Kumar and also gave abuses and threat to him on telephone.

The perusal of the record shows that there is no suicide note in this case. The complainant, till the morning of 13.06.2018, was not knowing that any loan was taken by the deceased from the petitioner or the petitioner is asking for refund of that amount.

Learned State counsel contended that they have recorded the statement of one witness in whose presence threats etc. were given. Learned counsel for the petitioner contended that asking for retrun of loan amount does not amount to abetment to commit suicide. There is nothing on the record to show any maltreatment or compelling circumstances to commit suicide. She further contended that the petitioner would never wish that Krishan Kumar should die because, then nobody will return the loan amount.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, he

shall join the investigation as and when called upon to do so and shall abide

by the conditions as provided under Section 438 (2) Cr.P.C.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 11, 2018  
Vgulati

(INDERJIT SINGH)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |