

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

CRM M-44005 of 2017

Date of decision : 15.02.2018

Resham Singh

...Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Ramandeep Kaur, Advocate for the petitioner.
Ms. Tanushree DAG Haryana.
Mr. Subhash Godara, Advocate for the complainant.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under sections 306/34 IPC vide FIR No. 234 dated 06.09.2017 at Police Station Dabwali, District Sirsa. It has been urged before the court that petitioner has been falsely implicated in the case. According to him, petitioner has only filed a complaint under section 138 of the Negotiable Instruments Act against the deceased. Same was dismissed on 13.07.2017 and deceased committed suicide on 06.09.2017. There is nothing on record to show that he was involved in the crime in any manner. He is, thus, entitled to concession of pre-arrest bail. Learned State counsel has opposed the prayer for bail on the ground that allegations against the petitioner are serious. According to him, deceased had left a suicide note clearly implicating the petitioner. He had died by consuming a poisonous substance. Learned counsel for the complainant has made submissions on

the similar lines.

Brief factual background of the case is that Laxman, brother of complainant Vishnu, committed suicide by consuming poisonous substance allegedly due to circumstances created by petitioner and other accused. A complaint was lodged. Complainant stated that his deceased brother, who was Patwari, was residing in Mandi Dabwali alongwith his family and he often used to visit his house. He was quite intimate with his brother Laxman (deceased) who used to discuss with him his personal affairs. He stated that his brother Laxman had told him that he was having money dealings with Bagwan Dass, Secretary, Gram Panchayat, his wife and son. Although he had cleared their account but still they were putting undue pressure upon him and demanding more money from him. He had also told him that Resham Singh (petitioner herein) and one Sukhdev Singh had filed a false case against him at Dabwali court under Negotiable Instruments Act. As they are not compromising the matter, his brother had apprehension that he would be convicted. According to suicide note left by deceased an amount of ₹1crore & 70 lacs was extracted from him by instilling fear in his mind. He was harassed for a period of more than a decade by the accused. Due to this, his brother remained puzzled and later on committed suicide.

It appears that FIR was registered way back in September, 2017. There are specific allegation against the petitioner with regard to filing of false complaint and instigated the deceased to commit suicide. The contents of the suicide note show that a thorough investigation is required for which custodial interrogation of the accused may be necessary. It appears that suicide note is duly signed by the deceased. In view of seriousness of allegations, I am of the considered view that he is not entitled

to concession of pre-arrest bail. Prayer for pre-arrest is thus rejected.
Petition is dismissed.

February 15, 2018
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No