

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

CRM M-6456 of 2018

Date of decision : 19.02.2018

Sukhdev Singh

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Ramandeep Kaur, Advocate for
Mr. Sukhjot Singh, 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 case registered against him under section 306/34 IPC vide FIR No. 234 dated 06.09.2017 at police station City Dabwali, District Sirsa. It has been urged before the court that from the allegations leveled in the FIR, no case for abetment of suicide qua the petitioner is made out. According to her, petitioner has been falsely implicated in the case. There is nothing on record to show that he is involved in the crime in any manner. Thus, he deserves the concession of pre-arrest bail. Learned State counsel has, however, vehemently opposed the prayer. She submits that deceased was humiliated in such a manner that he was forced to commit suicide. According to her, deceased has left a suicide note clearly implicating the petitioner. Thus, no case for enlarging the petitioner bail is made out. Learned counsel for the complainant has made submission on 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 Sukhdev Singh (petitioner herein) and one Resham 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. Petitioner created such circumstances which compelled the deceased to commit suicide. Moreover, pre-arrest bail application preferred by co-accused Resham Singh

has already been dismissed by this court on 15.02.2018. 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 19, 2018
Ajay

(RAJAN GUPTA)
JUDGE

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