

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANT. BAIL APPLICATION NO.2716 OF 2019***

Parampreetsingh Narendarsingh
Rajput

... Applicant

Vs

The State of Maharashtra

... Respondents

...

Mr. S.G.Rajput with Aditya Jadhav, Soniya Bhise and N. Mohite for the Applicant.

Mrs. J.S.Lohakare, APP for the Respondent-State.

PI R.L.Puri attached to Vanrai P.Stn. Present.

Mr. Vinod Chavan for Intervenor.

CORAM : SANDEEP K. SHINDE J.

DATE : 11th DECEMBER, 2019

P.C. :

Heard.

2 *Ankit (Deceased) was working as Manager with the City Bank. Applicant is his relative. It appears, eight Lakhs of rupees of the applicant were invested in the mutual fund by the deceased. Evidence shows this amount was not returned to the applicant by the deceased. Deceased had resigned his position from the bank on 13th July, 2019. He committed suicide on 7th October, 2019. His*

mother lodged report on 15th November, 2019 and alleged due to recurring hostile actions and threats of dire consequences, by the applicant, her son committed suicide.

3 *It appears, the applicant had informed employer of the deceased about transactions executed by the deceased with him. Also, it appears, he was recurringly asking the deceased to return Rs.8 Lakhs, else he would face dire consequences. It is prosecution's case that applicant's wife was also recurringly calling mother of the deceased for repayment of Rs.8 Lakhs.*

4 *It may be stated that on 9th October, 2019, a cell phone of the deceased was seized wherefrom, a note was retrieved. Prosecution has produced the note for perusal. It shows though the deceased has, repayed full amount to the applicant, deceased was receiving calls of the applicant to pay 4 Lakhs rupees as interest or else he would be harmed. Note further suggests applicant mounted pressure on deceased, which he could not bear and thus, had left the house for ten days. Screenshot of this note has been sent*

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for further report. It may be stated that Investigating Officer has verified a fact and found that the deceased had returned money to the applicant by cheque. Statement of Citi Bank Account is produced for my perusal. Besides, letter is produced by the Investigating Officer of the Citi Bank wherein it is stated thus;

“ Mr. Rajput was employed with City Bank from 2014 to 2019. In January, 2019 during the course of Rajput’s employment, certain allegations of misconduct were brought to our attention. This matter was reviewed internally and during the review Mr. Rajput was flagged to have executed transactions with a few Citi customers including Mr. Parampreet Singh Rajput (Applicant).”
(emphasis supplied)

5 Thus, a letter from the Citi Bank, prima-facie, shows that the applicant had informed employer of the deceased about the alleged transaction of loan given by him to the deceased for investment in mutual funds. Bank statement, prima facie, shows, amount was returned by the deceased to the applicant; the note stored in the mobile of the deceased shows, applicant was demanding interest on the principal amount, and suggests threats of dire consequences extended to deceased.

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6 The learned APP submitted that besides applicant, applicant's wife was also calling the deceased's mother recurringly for return of amount.

7 The learned counsel for the applicant submits, seeking return of money lent, does not, at any rate, amounts to abatement and/or instigation. He has relied upon the order passed by this Court in Anticipatory Bail Application No.1217 of 2018. He submits that allegations fall short of requirements of Section 107 of the Indian Penal Code, 1860.

8 I have perused the note retrieved from mobile of the deceased; bank statement of the accused and letter of the Citi Bank Manager addressed to the Investigating Officer. These documents and a complaint, prima-facie, suggest, the recurring hostile actions by the applicant, led Ankit to commit suicide.

9 Anticipatory Bail Application is rejected.

(SANDEEP K. SHINDE, J.)

