

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

CRR No.3646 of 2018 (O&M)
Date of Decision: January 08, 2019

Deepak Rana

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.N.S.Shekhawat, Advocate
for the petitioner.

INDERJIT SINGH, J.

CRM No.42278 of 2018

This application is allowed, subject to all just exceptions.

Annexures P-7 to P-10 are taken on record.

CRR No.3646 of 2018

The present revision has been filed by the petitioner Deepak Rana against respondent State of Haryana, challenging the impugned order dated 22.10.2018 passed by learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri, vide which charge was framed against the petitioner.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that there is a suicide note in the present case, in which the deceased has only named present petitioner as

responsible for his suicide. After investigation, challan has been presented.

As per prosecution version, FIR was got registered by Krishna, mother of the deceased, who stated that his son Kunal used to work with a contractor for earth filling and had taken contract from Deepak Rana for filling earth in his land at village Mamidi, for a sum of ₹45 lakhs. Some amount was given by Deepak Rana but he did not give a sum of ₹18 lakhs. Kunal used to go to the petitioner for demanding money again and again but petitioner was not giving the money. Due to this, complainant's son was disturbed as he had also to give money further. On that day, Kunal took some poisonous substance after being harassed by Deepak Rana, who died during treatment. It is also in the FIR that on search, a paper was found from the pocket of pant of the deceased i.e. suicide note. In the suicide note, Kunal has stated that he had received ₹12 lakhs and ₹18 lakhs is outstanding. It is also written in the suicide note by Kunal that he made telephonic call from other number to Deepak Rana, who started abusing and threatening him. Further, in the suicide note, it is written that 45-60 days after this, he again made telephonic call to Deepak Rana but he did not pick the call and now, he is committing suicide due to Deepak Rana.

It is settled law that at the time of framing of charge, the Court is see whether it is case of some evidence or no evidence. The Court is not to weigh the evidence at this stage. At this stage, the defence of the accused is also not to be seen. All the allegations have been levelled against present petitioner. Suicide note is also naming the present petitioner. As per prosecution version, Kunal has committed suicide due to harassment given by the present petitioner.

At this stage, from the record, I find that there is prima facie

case for framing the charge against the petitioner. In no way, it can be held

that no case is made out against the present petitioner.

In view of the above discussion, I find that no illegality has been committed by learned trial Court while framing the charge against the petitioner. The impugned order dated 22.10.2018 passed by learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri, is correct, as per law and does not require any interference from this Court.

Therefore, finding no merit in the present revision petition, the same is dismissed.

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

January 08, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No