

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

Date of Decision: 2.9.2020

(i) CRM-M-17004-2020

Hira Lal

.....Petitioner

Versus

State of Haryana

....Respondent

(ii) CRM-M-17955-2020

Monu Taneja @ Monu

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner in CRM-M-17004-2020.

Mr. Amit Singla, Advocate, for the petitioner
in CRM-M-17955-2020

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Mayank Goyal, Advocate for the complainant.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video
conferencing.

This order shall dispose of the above noted two
petitions as the same arise out of the one and same FIR.

The petitioners seek anticipatory bail in FIR No. 335 dated 31.5.2020 under Sections 306/34 IPC registered at Police Station City, Sirsa.

Learned Senior Counsel appearing for petitioner-Hira Lal, has submitted that Sunil son of the complainant, consumed poison on 21.5.2020 and on his admission in the hospital till his death i.e. on 30.5.2020, he had not levelled any allegations against petitioner-Hira Lal, which clearly establishes that at no point of time, there had been any instigation to commit suicide.

Learned Senior Counsel has further submitted that deceased Sunil had remained admitted in the hospital for 09 days, but during the said period, neither his statement was recorded nor the complainant had made any complaint to the police. It is further submitted that even as per the suicide note, which is undated, more than a sum of Rs. 5.00 crore was to be paid by Sunil to 54 persons and, thus, the cause of suicide was a huge debt on the deceased and not anything else. It is also submitted that the suicide note had been written in two parts with two different inks. As per the suicide note, there is no abetment, instigation or immediate provocation to the deceased and as per conversation with Sunil on various dates, rather the petitioner had extended his hand for help.

Learned counsel appearing for petitioner-Monu Taneja @ Monu, has adopted the arguments advanced by the learned Senior Counsel appearing for petitioner-Hira Lal.

On the other hand, learned State counsel has submitted that the deceased had owed a sum of Rs. 5.00 crore

to 54 persons. It is further submitted that the petitioners have been specifically named in the suicide note and it was on the asking of the petitioners, the deceased had invested Rs. 2.5 crore and Rs.30 lacs, respectively. It is also submitted that as per the call details, the petitioners had talked to the deceased on phone from time to time.

Learned Senior Counsel appearing for the complainant, has reiterated the factum of the petitioners having been specifically named in the suicide note. Besides, the petitioners had spoken to the deceased on different occasions. It is further submitted that as the deceased was living in Sirsa, upon learning the deceased's having consumed poison, complainant-father came rushing to Sirsa from his village. The suicide note was found on 30.5.2020 from the almirah of the deceased and that the contents of the suicide note clearly establish that Sunil had committed suicide due to the harassment meted out at the hands of the petitioners and other persons, named in the suicide note.

I have heard the learned counsel for the parties.

The petitioners have been specifically named in the suicide note, found by the complainant (father of the deceased) from the almirah of the deceased and there are allegations that on the behest of the petitioners, the deceased had invested a huge amount. The financial relationship has not been disputed by the petitioners at any stage, which is sufficient to presume their involvement. Moreover, as per the prosecution version noticed by the Additional Sessions Judge, Sirsa, while declining

the bail application of the petitioners, the deceased was not declared fit to make statement upto 29.05.2020 and on the very next i.e. 30.05.2020, he breathed his last. Thus, the petitioners' plea that during his admission in the hospital from 21.05.2020 till 29.05.2020, the deceased did not make any statement regarding their involvement, does not have any merit.

The allegations against the petitioners are serious in nature making their custodial interrogation necessary.

No ground for grant of concession of anticipatory bail is made out.

Hence, the present petitions are dismissed.

(HARNARESH SINGH GILL)
JUDGE

September 02, 2020
Gurpreet/ds

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No