

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

CRM-M-42989-2019 (O&M)

Date of decision: 22.01.2020

Krishan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Ramesh Hooda, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. D.S. Matya, Advocate for the complainant.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by petitioner Krishan, an accused in FIR No.303 dated 02.08.2019 for offences under Sections 306 and 34 IPC, registered with Police Station Badshahpur, District Gurugram.

Briefly stated facts of the case as per prosecution version are that one Ashok Kumar had committed suicide by hanging. His brother Satish Kumar in his statement to the police stated that Pooja wife of deceased Ashok Kumar used to quarrel with him over trivial matters and had got registered several false criminal cases against him. Brother in-law of Ashok, namely Krishan (present petitioner) and father in-law namely Surender had also given beatings to Ashok

Kumar earlier and brother in-law of Ashok namely Krishan and his wife Pooja were responsible for the suicide of Ashok Kumar. On the basis of such statement, formal FIR was recorded.

Krishan had approached the Court of Sessions, seeking pre-arrest bail but such petition was dismissed by Addl. Sessions Judge, Gurugram, vide order dated 09.09.2019. As such, he has knocked at the door of this Court with similar prayer, which is being resisted by the State counsel and counsel for the complainant.

I have heard learned counsel for the parties besides going through the record.

In the FIR, the complainant has specifically held the present petitioner, brother in-law of the deceased along with wife of deceased to be responsible for death of deceased Ashok Kumar, stating that they had abetted his suicide. The custodial interrogation of the petitioner is necessary for complete and effective investigation and to find the factual position. If the same is denied to the investigating agency that shall leave many loose ends in the investigation, which is uncalled for.

Counsel for the petitioner has contended that parents in-law of the deceased have been granted the interim bail by a Co-ordinate Bench of this Court, vide order dated 28.08.2019 but a perusal of the order goes to show that it was mainly for the reason that they were stated to be residing in Village Dhanana, Bhiwani when the alleged occurrence had taken place in Gurugram, whereas, the present

petitioner admittedly has his residence at Gurugram. The petitioner cannot claim parity with his parents in-law for the said reason. Accordingly, the petition is found to be without merit and is dismissed accordingly.

22.01.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No