

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-844-2021(O&M)

Decided on : 23.04.2021

JAGRAM JAISWAL

. . . Petitioner

Versus

STATE OF HARYANA

. . . Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(through video conferencing)

PRESENT: Mr. Keshav Pratap Singh, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Asmaan Singh.

Mr. Yash Dev Kaushik, Advocate
for respondent.

MANJARI NEHRU KAUL, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.414 dated 15.07.2020 registered under Section 306 of the Indian Penal Code, 1860 registered at Police Station Palla, District Faridabad.

Learned counsel for the petitioner contends that a false case has been foisted upon the petitioner with an oblique motive to extract money from him. It has been submitted that a perusal of the FIR in question clearly reveals that the ingredients to attract Section 107 and 306 of the Indian Penal Code, 1860 are clearly amiss in the case in hand. In support, learned counsel has placed reliance on the judgments rendered in the cases of SS Cheena Vs. Vijay Kumar Mahajan and another; 2010 (12) SCC 190, Rekha Vs. State of Haryana; 2019(1)Law Herald 927, Sanju @ Sanjay Singh Vs. State of Madhya Pradesh; 2002 (2) RCR (Criminal) 687 and Madan Mohan Singh Vs. State of Gujarat ; 2010 (8) SCC 628.

It has been further submitted that the petitioner and the deceased were friends and partners in a business of property dealing. The deceased had

persuaded the petitioner to purchase some property from his relatives for which most of the consideration amount was paid by the petitioner and some cheques qua the aforementioned purchase issued by the deceased. Those cheques were dishonoured. The deceased had also borrowed money from various persons and since he was unable to repay, he was under tremendous pressure which was the reason behind his suicide.

Per contra, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He has invited the attention of this Court to the suicide note left behind by the deceased wherein the deceased in categorical terms had named the petitioner and the circumstances created by him which compelled him to end his life. The State counsel has also referred to the contents of the FIR registered at the instance of the son of the deceased wherein the allegations leveled find corroboration with the contents of the suicide note left behind with the deceased.

Heard.

Prima facie, there are serious and specific allegations leveled against the petitioner both in the FIR in question as well as the suicide note left behind by the deceased for which he does not deserve the concession of anticipatory bail.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

April 23, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*