

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-2474-2021 (O&M)

Ram Kishore ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-4540-2021 (O&M)

Bijender and another ... Petitioners

Versus

State of Haryana ... Respondent

Date of Decision:-24.8.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. N.K. Malhotra, Advocate for the petitioner(s).

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Ram Avtar.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Ram Kishore, Bijender and Diksha seeking grant of

anticipatory bail in respect of a case registered vide FIR No.513 dated 9.12.2020 at Police Station Sector-5, Gurugram, under Sections 306 and 34 of Indian Penal Code.

2. The FIR in question was lodged at the instance of Rahul, wherein it is alleged that his father had entered into an agreement with Sanjay for purchase of a plot and his father had paid the amount to the Sanjay but said Sanjay had not executed sale deed in respect of the plot despite having been requested several times by complainant's father. It is further alleged that Sanjay's wife namely Shama @ Vishta, Ram Kishore and Sumit Chutani later came to their house and also threatened on phone that they would not execute any sale deed and that the complainant or his father may do whatever they wish. It is further alleged that Sumit Chutani had borrowed an amount of ₹5 lakhs from complainant's father and when his father used to demand the same back, said Sumit Chutani used to threaten his father and that his father being fed up committed suicide on account of harassment being met out to him at the hands of Sanjay, Shama @ Vishta, Ram Kishore and Sumit Chutani by consuming 'Cephos' tablets.
3. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the instant case and that even if it is presumed that there was any kind of monetary transaction with the accused or that any agreement for sale had been executed by co-accused Sanjay, still it cannot be interpreted that the petitioners had abetted the commission of suicide by complainant's father. Learned counsel has further submitted that infact the agreement in question was executed by Ram Kishore with one Smt. Santosh wife of Sukhbir as is evident from perusal of the agreement (Annexure P-2).

4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR and infact Ram Kishore is also specifically named in the FIR, no case for grant of bail is made out. Learned State counsel has further informed that Bijender is also known by the name Sanjay and that petitioner Diksha is daughter of Ram Kishore. Learned State counsel has, however, informed that pursuant to interim directions, the petitioners have since joined investigation.
5. I have considered rival submission addressed before this Court.
6. Having regard to the facts and circumstances and while bearing in mind the nature of allegations and the fact that the petitioners have already joined investigation, both the petitions are accepted and the interim directions issued by this Court vide orders dated 19.1.2021 and 1.2.2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

24.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No