

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-2077 of 2022(O&M)****Date of Decision: 20.07.2022****Sanjay Sharma****...Petitioner****Versus****State of Punjab****...Respondent****CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH****Present:- Mr. M.S. Saini, Advocate
For the petitioner.****Ms. Samina Dhir, DAG Punjab.****Mr. Rishab Gupta, Advocate
for the complainant.***********KARAMJIT SINGH, J.**

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 260 dated 10.12.2021, registered under Section 306 IPC, Police Station Hoshiapur, District Hoshiarpur.

The counsel for the petitioner submits that the petitioner has joined the investigation with the police in compliance of the order dated 18.01.2022. The counsel for the petitioner further contends that The present case is relating to suicide committed by Harshit Puri aged about 22 years who was running a Saloon. The counsel further contends that even as per the allegations recorded in the FIR, Harshit Puri borrowed money from different persons to run his saloon and he repaid money to some of them, but owed money to some lenders, who demanded their

money back. The counsel for the petitioner further submits that due to the said reason the deceased was under tension for the last so many days and finally he committed suicide. The counsel for petitioner further submits that petitioner was also one of the said lenders, who demanded his money back from the deceased. The counsel further submits that the petitioner is not responsible for the death of Harshit Puri who was under debt and committed suicide and no suicide note of the deceased is there on record.

The State counsel on instructions from SI Surinder Kumar has admitted that the petitioner has joined the investigation and further states that now petitioner is not required by the police for any further investigation and nothing is to be recovered from the petitioner and that the police is going to present the challan against the accused persons, very shortly.

The counsel for the complainant while resisting the present petition submits that the petitioner being one of the lenders was persistently harassing and extending threats to Harshit Puri to repay his money which was borrowed by the deceased. He further submits that some other lenders who have been impleaded as accused in the present case, also used to threaten and harass the deceased in order to pressurize the deceased to return their money. The counsel for complainant further submits that on account of the aforesaid harassment and threats being given to the deceased by all the accused including the petitioner, the deceased was having no other option except for ending his life by committing suicide, which he did. The counsel for the complainant

further contends that the petitioner and other accused incited and abetted the deceased to commit suicide.

I have considered the rival submissions made by counsel for the parties.

As per the allegations recorded in the FIR the deceased committed suicide as he had borrowed money from different persons including the petitioner to run his saloon and thereafter he failed to return the said money on which the concerned lenders including the petitioner put pressure on him to repay the borrowed amount and as such the deceased was under tension and finally committed suicide. No suicide note was left behind by the deceased. There are no specific allegations that the petitioner instigated or aided the deceased in committing suicide. The petitioner has joined the investigation and is not required by the police for any further investigation.

In the light of the above, this Court is of the view that no purpose is going to be served even if at this stage the petitioner is subjected to custodial interrogation by the police. Thus, without commenting on the merits of the case present petition is allowed and order dated 18.01.2022 granting ad interim bail to the petitioner is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

20.07.2022

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**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**