

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

CRM-M-52980-2021 (O&M)

Date of decision: 19.04.2022

Surender Kumar @ Sunder**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Bhupinder Ghai, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 108 dated 13.05.2019, registered under Sections 306, 506, 34 of the IPC at Police Station Julana, District Jind.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Dharambir, it is stated that his brother Radha Krishna @ Popa, aged about 40 years, was unmarried and was doing the business of sale and purchase of buffaloes. He had supplied lots of buffaloes to different traders and about 5/7 persons were named in the FIR, who were supplied buffaloes worth Rs. 1,45,00,000/-. Whenever the brother of the complainant used to demand his money, the said traders used to refuse and in this regard, a Panchayat was also convened and in the Panchayat, one Ramesh @ Ghoda threatened the brother of the complainant and asked him not to convene the Panchayat again. On extension of such threat, Radha Krishna consumed some

poisonous substance and committed suicide.

Learned counsel for the petitioner further submits that later on, the police, during investigation, has declared aforesaid Ramesh @ Ghoda, the person who extended threat to Radha Krishna, as innocent person and the petitioner is in judicial custody for the last 05 months and 27 days; challan stands presented and the petitioner is not involved in any other case.

Learned State counsel has filed the custody certificate and submitted that as per suicide note, which was sent to FSL for comparison of the handwriting of the deceased, it is found that the suicide note was in his own handwriting and in the same, he has named the petitioner as one of the persons, who were harassing him.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody for the last 05 months and 27 days; challan stands presented and also in view of the fact that with regard to allegations of extending threat by any of the accused persons, the deceased or the complainant had not given any complaint to any police authority nor the deceased had filed any suit for recovery for his outstanding amount, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

19.04.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No