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

CRM-M-30942-2024

Date of Decision:- 07.08.2024

SANDEEP LAMBA

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr.Sandeep Singh Majithia, Mr. Shivdeep, and
Ms.Chandanpreet Kaur Ahluwalia, Advocates
for petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

Mr. S.K. Garg Narwana, Senior Advocate with Mr. Vishal
Garg Narwana, Mr. Nitin Sachdeva and Mr. Mukul Ahuja,
Advocate for complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Sandeep Lamba has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.661 dated 23.12.2023 under Sections 306, 384 and 34 IPC, 1860 registered at Police Station Saran, District Faridabad.
2. Brief facts of the case are that Vikas Nain complainant stated that on 22.11.2023 his father Satvir Nain committed suicide. In statement recorded under Section 174 Cr.P.C. he and his family members stated that due to prolonged illness his father remained under trouble. His leg was



amputated he being diabetic. Entire family was under distress After completing all the rituals on 18.12.2023 he, his family members and uncle went to the office of his father and saw the files of business. They came across a suicide note, written in the handwriting of his father bearing his signatures in which he had named Roop Chand Lamba, Sandeep Lamba, Vijender Lamba, Smt. Dalwati Chauhan and one more person Lakhan Lamba responsible for his death as they had caused huge financial loss to his father. In the said suicide note detail of money and some property was mentioned and it was further written about one red *Bahi* in possession of one Bobby Daggar. With these allegations, present FIR was registered.

3. Learned counsel for the petitioner argued that Sandeep Lamba had no dealings with the deceased victim. In-fact, his father Bijender Lamba had filed a complaint under Section 138 of NI Act which was pending since 2021. Copy of summoning order dated 04.03.2022 is Annexure P-2. Said suicide note is Annexure P-1 which does not bear any date. There is nothing on record to show that deceased victim or any of his family members filed any complaint against him for causing any type of harassment. No other civil or criminal litigation is pending. In-fact, there is nothing on record to show that present petitioner abetted in the commission of suicide by late Satvir Nain. He is ready to join the investigation and will abide by the terms of bail order. Therefore, his anticipatory bail may be allowed.

4. Bail application is opposed by learned senior counsel for the complainant who vehemently argued that in suicide note (Annexure P-1) present petitioner is specifically named. Late Satvir Nain was being harassed and threatened by present petitioner along with other co-accused



as a result he was left with no other alternative but to end his life. Petitioner is required to join the investigation. Therefore, he does not deserve concession of anticipatory bail.

5. Learned counsel representing State also filed status report. It is alleged that in suicide note (Annexure P-1) present petitioner is specifically named for pressurising and blackmailing the deceased to give money. Said suicide note was got examined from RFSL Bhondsi, Gurugram. Report is Annexure R-2. Handwriting of deceased Satvir Nain duly matched with the writing of aforesaid suicide note. Considering the gravity of offence petitioner is not entitled to be released on anticipatory bail.

6. I have considered the arguments and have gone through the record. Present FIR has been registered on account of suicide note of deceased victim Satvir Nain which was recovered from the place of his business. It is matter of record that FIR is recorded on the statement of his son Vikas Nain who initially stated that his father was having health issue. His leg was amputated. There was prolonged illness. He had committed suicide. Later-on, FIR was registered after a lapse of one month on recovery of alleged suicide note from the business place of deceased Satvir Nain. Learned counsel for petitioner rightly pointed out that prior to this there was no complaint, civil or criminal litigation pending with him. In fact, one complaint under Section 138 of NI Act was filed against deceased-victim by his father Bijender Lamba. No further recovery is to be effected from the petitioner. He is not likely to abscond. He is ready to join the investigation as and when required. Considering the aforesaid facts and circumstances of the case, anticipatory bail filed by petitioner is allowed. In case petitioner is arrested, he be released on interim bail to the



satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioner will join the investigation as and when required. He will not tamper with or interfere with the investigation and will not leave the country without prior permission as provided under Section 438 (2) Cr.P.C.

7. The petition is accordingly accepted.
8. Pending miscellaneous application(s), if any, stand disposed of accordingly.
9. My observations are made for the disposal of this petition and it will have no bearing on the merits of case.

07.08.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No