



\$~2

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 77/2024 and CRL.M.A. 557/2024

VIKAS CHILLAR

..... Petitioner

Through: Mr.Hirein Sharma, Mr.Tushar Ahuja and
Mr.Saurabh Goel, Advocates

versus

THE STATE, GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State with
SI Satish Kumar and ASI Virender Singh
Mr.Sudarshan and Mr.H. Bajaj, Advocates for
complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

30.04.2024

%

1. By way of present application filed under Section 438 read with Section 482 Cr.P.C., the petitioner/applicant seeks anticipatory bail in FIR No.272/2023 registered under Sections 306/34 IPC at P.S. Dwarka, Sector-23, New Delhi.
2. Learned counsel for the applicants submits that the deceased had taken cash loans from the applicant, which also had been partly paid from time to time. He submits that a perusal of the material placed on record would show that the deceased was in the habit of taking loans not only from the applicant but also from various other persons, however, it is only the applicant who has been arrayed as an accused in the present case. He further submits that though the Investigating Officer has collected the suicide note as well as the video clip, the same in no manner would show that the



applicant had instigated or abetted the deceased to commit suicide. Lastly, it is submitted that the applicant has already joined the investigation.

3. Learned APP for the State, duly assisted by learned counsel for the complainant, on the other hand, has vehemently opposed the bail application. He submits that in the suicide note, the deceased has alleged that the applicant was putting pressure on him. In the suicide note, it was alleged that he had taken loan from bank and had also withdrawn amounts from GPF to pay the interests on the principal loan amount. The deceased has stated that the interest charged by the applicant was exorbitant as the deceased had already paid amounts equivalent to 1 ½ times of the principal towards the interest, however, the principal remained as it is. It is also stated that the video clipping of the deceased has also been recovered from his mobile phone in which he has stated that he had paid Rs.1.5 crores towards interest. It is also stated that a perusal of the CDR of the deceased and the applicant would show that there were multiple calls exchanged between them including some which were one day prior to the date of the incident. He also submits that the applicant has extended threats to the wife of the deceased.

4. I have heard learned counsels for the parties as well as learned APP for the State and have also gone through the material placed on record.

A perusal of the suicide note as well as transcript of the video clipping shot by the deceased would show that the deceased had taken loans not only from the applicant but also from the various other persons including from banks. On a prima facie reading of the same, it appears that the deceased was stuck in a debt trap wherein he had taken one loan in order to repay



another. The call detail records placed on record also show that a day prior to the incident, it was the deceased who had reached out to the applicant.

5. Keeping in view the aforesaid facts and circumstances and the fact that the applicant has already joined the investigation, the interim protection granted to the applicant vide order dated 08.01.2024 is made absolute and it is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicant shall regularly appear before the trial Court.



(vii) The applicant would not get in touch with the family of the deceased directly or indirectly.

6. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

APRIL 30, 2024

na