

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

CRM-M-12574-2025

Date of Decision:06.03.2025

RAKESH KUMAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. P.S. Ahluwalia, Advocate and
Ms. Bhavi Kapur, Advocate for the petitioner.
Mr. Jaspal Singh Guru, AAG Punjab.
Mr. Gurinder Singh Dhot, Advocate for the complainant.

SANDEEP MOUDGIL, J. (Oral)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the petitioner in FIR No. 16 dated 12.02.2025, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ranjit Avenue, District Police Commissionerate, Amritsar, Annexure P-1.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

Stated that I am a resident of above said address and practice as an advocate in District Courts, Amritsar. My mother Indu Ravda Sarwan Kanta is housewife and my father Rajeev Kumar deals in property. My sister Gunav Ravda is a teacher in a private school. On 11/02/2025 at about 07:00 P.M, I received information that my father Sanjeev Kumar has met with an accident in Ranjit Avenue and is admitted in Mud Hospital for treatment. At this, I and my family reached Mud Hospital B Block Ranjit Avenue immediately and I came to know that my father had jumped down from Best Western's upper floor, due to which he had sustained multiple injuries and he

was admitted in Mud Hospital for treatment, where he has died. He had told me earlier that he owed huge money from Rakesh Nayyar resident of Dayanand Nagar, Lawrence Road, Amritsar, Amit Nanda @Vicky son of Ashok Nanda resident of F-07/558, Mata Kohla Marg, Kashmir Avenue, District Amritsar and Ramesh Arora resident of 72L, White Avenue, District Amritsar and other persons, with whom he had property business and they were not giving his money and were putting him off on one pretext or the other. Due to this reason, my father used to remain very much perturbed. These persons are responsible for death of my father. Appropriate legal action be initiated against these persons. I have got recorded my statement. I have heard the same, which is correct. Sd/- Rajat Ravda, Attested:-Major Singh ASI Police Station Ranjit Avenue, Amritsar. Date: 12/02/2025. Police Proceedings: Today I the ASI along with CT Sukhjinder Singh 517, 1/CT Gaganpal 730. L/CT Prabhjot Kaur 3924 was present at Police Station that complainant Rajat Ravda son of Late Rajeev Kumar resident of abovesaid address came present in police station and got recorded his statement. In connection with this occurrence, report No. 41 has been entered in roznamcha on 11/02/2025. The above said statement discloses the commission of an offence under section 108 BNS. Police proceedings have been recorded on original statement and HC Tejinderpal Singh Head Munshi of Police Station is instructed to register case FIR and intimate the number thereof. Special reports be issued to Illaqa Magistrate and senior officers. Station House Officer of Police Station and Control Room be informed. I the ASI along with accompanying officials and complainant proceed to Civil Hospital Amritsar. Sd/-Major Singh ASI Police Station Ranjit Avenue Amritsar. Date: 12/02/2025. In area of Police Station Ranjit Avenue Amritsar at 11.50 P.M. Date: 12/02/2025." At the Police Station: At this time, on receipt of above said statement at police station, aforesaid case FIR has been registered under above said sections. Original statement together with copy of FIR is being handed over to investigating officer for investigation. Special reports are being sent to Illaqa Magistrate and higher officers through CT Satnam Singh 3980.

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner contends that the petitioner, has been falsely implicated in the present case as the same is registered on the basis of a written complaint moved by the complainant, namely Rajat Ravda, regarding the death of his father, namely Rajeev Kumar, who had committed the suicide by stating that petitioner and the co-accused owed certain money to the deceased on account of which he was distressed. He further submits that petitioner and the deceased had no ongoing financial dispute, but it was co-accused Ramesh Arora with whom the deceased had some financial disputes and the FIR to this effect was quashed on the basis of compromise between the parties.

On behalf of the State and complainant

Learned State Counsel appearing on advance notice, and counsel for the complainant on instructions from the Investigating Officer, opposes the instant petition on the ground that the petitioner has been attributed specific role that he owed money to the deceased.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made by counsel for the parties and considering the fact that no fruitful purpose would be served by sending the accused behind the bars, as the mere allegation that the petitioner owed money to the deceased does not itself mean that the petitioner has abetted or instigated the deceased person to commit suicide and there is no financial dispute between the petitioner and deceased, as such, this Court finds no reason to deny the concession of anticipatory bail to the petitioner as he is ready and willing to join the investigation to cooperate with the investigating officer for furtherance of the

investigation.

5. **Relief**

In the light of above, the petitioner is hereby directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

“When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands disposed off.

06.03.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(SANDEEP MOUDGIL)
JUDGE