

2025:PHHC:085428



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH
307

CRM-M No.14303 of 2025
Date of decision: 15.07.2025

Sunil Kumar ... Petitioner

Vs.
State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lekh Raj, Advocate and
Mr. Munish Mittal, Advocate,
for the petitioner.

Mrs. Sheenu Sura, DAG, Haryana,
for the respondent-State.

Mr. Lupil Gupta, Advocate and
Mr. Rahul, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
409	19.11.2024	Dharuhera, District Rewari	108 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR has been registered on the basis

2025:PHHC:085428



of complaint lodged by the complainant Babu Lal alleging that on 19.11.2024, his brother Kalu had committed suicide by hanging himself in the house. A suicide note was found lying in the pocket of his pant and on reading the same, he had found that the present petitioner along with some other persons had forced the victim to commit suicide. As such, he prayed for taking action in the matter. Investigation proceedings were initiated. Postmortem examination of dead body of the victim was got conducted. The suicide note left by the victim was taken into custody by the police. The petitioner was nominated as an accused. Apprehending his arrest, he moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Rewari vide order datd 07.03.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There was no nexus between him and the other persons named in the FIR. The victim was under heavy financial debt and used to remain disturbed. There is nothing in the suicide note to show that the petitioner had compelled the victim to commit suicide. The ingredients for commission of offence punishable under Section 108 of BNS are not at all attracted. There is nothing on record to show that he had instigated or intentionally aided commission of act of suicide by the victim. More so, there is nothing to show that any act in the close proximity of the time when the victim committed suicide,

2025:PHHC:085428



had been committed by him. The victim ended his life at his own volition. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are serious and specific allegations against the petitioner. He was named in the suicide note left by the victim. He had been harassing the victim by pressurizing him to give exorbitant amount of money in lieu of the amount of money given to the victim. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. No extraordinary or exceptional circumstance for grant of pre arrest bail is made out in favour of the petitioner. Therefore, it is argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have abetted suicide by the victim. A copy of the suicide note has been placed on record as per which, the petitioner had given money on interest to the victim and had been pressurizing the victim to repay the same after adding huge amount of interest. There are specific allegations against the petitioner. For conducting thorough investigation in the matter, the custodial

2025:PHHC:085428



interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the

2025:PHHC:085428



course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

15.07.2025
manju

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No