

Saurav Vs State of Punjab

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: July 18, 2014

Acts Referred: Penal Code, 1860 (IPC) â€” Section 306

Hon'ble Judges: M.M. Singh Bedi, J

Bench: Single Bench

Advocate: Munish Kumar, Advocate for the Appellant

Final Decision: Dismissed

Judgement

M.M. Singh Bedi, J.

Petitioner had lended a sum of Rs. 3000/- to Rahul Gautam brother of complainant Rohit Gautam. On account of repeated harassment at the hands of the petitioner demanding back a sum of Rs. 6500/- on account of additional interest accrued on the amount

borrowed by the brother of the complainant, he has committed suicide. Motor cycle of the brother of the complainant was snatched and he was

compelled to pay a sum of Rs. 6500/- to get his motorcycle back. He started living in distress and committed suicide on May 26, 2014.

2. Counsel for the petitioner submits that the deceased was admitted in the hospital and he died after three days. He was actually a drug addict and

on account of over-doses he died and that the petitioner has been falsely implicated in the case. Offence u/s 306 IPC is not made out.

3. I have heard learned counsel for the petitioner and gone through the allegations in the FIR. There does not appear to be any reason for the

complainant to falsely implicate the petitioner being a real brother of the deceased. The investigation is at initial stage. It will be premature to

ascertain whether it is a case where the petitioner could be said to have not committed any illegal act or has not intentionally aided the commission

of suicide by the brother of the complainant.

4. Counsel for the petitioner at this stage places reliance on Vedprakash Tarachand Bhajji Vs. State of Madhya Pradesh, a judgment of M.P. High

Court wherein the persons accused of intimidating the deceased for repayment of loan and deceased having committed suicide soon thereafter

were discharged taking into consideration the circumstances of that particular case. In the present case, a young student was pressurized and

deprived of his motorcycle in order to coerce him to pay exorbitant interest on the amount received by him as loan. It will not be appropriate at this

stage to enter into the niceties of the trial as the investigating agency is at the stage of recording statements of the witnesses as per the procedure in

Chapter XII Cr.P.C.

5. Dismissed without prejudice to the rights of the petitioner to seek the concession of regular bail.