

**HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE**  
**M.Cr.C. No.33838 of 2020**  
**Jitendra Singh @ Jitu Vs. State of M.P.**

**Indore, Dated:- 30/09/2020**

Shri Girish Desai, learned Counsel with Shri Satish Tomar, learned Counsel for the petitioner—Jitendra Singh @ Jitu S/o Gajraj Singh Rajput.

Shri Palash Choudhary, learned Panel Lawyer for the respondent/State.

Crime No.	Under Section(s)	Police Station
226/2020	306 IPC	Neemuch City, Neemuch

1. As declared by the petitioner, this is the third application under section 439 Cr.P.C.
2. First application was withdrawn vide order dated 13.7.2020 passed in M.Cr.C. No.21893 of 2020. Second application for temporary bail was allowed vide order dated 10.08.2020 passed in M.Cr.C. No.27377 of 2020.
3. Within less than 2 months of withdrawal of the first application, the petitioner has come before this Court again for granting bail under Section 439 Cr.P.C. on the same grounds without referring any change in the facts and circumstances of the case.
4. According to the prosecution case deceased - Suryabhansingh committed suicide on 04.05.2020 leaving behind a suicide note, which reads as under:-

मैं सूर्यभानसिंह हाडा (सुरजसिंह हाडा) मुझे आत्म हत्या (आत्महत्या) करने पर मजबूर किया जीतेन्द्र सिंह गोडा पीपलीया वाले ने मुझे पैसे की धमकी दे रहा था। मेरे घर पर भी आया। गांव में पांच आदमी के सामने धमकी दे कर गया था। मुझे पैसे नहीं दिए तो मैं तुझे जान से मार डालूंगा। मैं बहुत घबरा गया न तो किसी को बता पाया और ये मुझसे पैसे करोड़ के लेने चाहता था। वायदा बाजार में भी इसने जूठ बोलकर मेरा माल नहीं का और सरकीट में फंसाकर मुझसे पैसे हड़पना चाहता था। मैं ये बात घर पर नहीं बता पाया पर मेरे मरने का कारण सिर्फ जितेंद्र सिंह घोडा पीपलीया वाला। इसके फोन नंबर भी मेरे काल पर चेक कर लेना ये नंबर है मो.नं. 9754200875, मो.नं. 9575007741, मुझे इसी कारण मरना पड़ा। मेरे मरने का कारण जितेंद्रसिंह गोडा पीपलीया वाला।

सूर्यभानसिंह हाडा

**HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE**  
**M.Cr.C. No.33838 of 2020**  
**Jitendra Singh @ Jitu Vs. State of M.P.**

(सूरजसिंह)

5. Wife - Sarekunwar and mother - Bhawarkunwar and Monohar Singh have supported the case of the prosecution on the point of pressure mounted by the petitioner. The deceased could not sustain and succumbed to the pressure.

6. It is argued that loss in the business was the root cause of the suicide of the deceased and not the demand of money by the petitioner as alleged by the prosecution. Mother and wife of the deceased have only stated that prior to the death, the deceased was stressed and distracted (*gumsum*). It has also come in the evidence that prior to the death, they have celebrated marriage anniversary of deceased - Suryabhansingh, which shows there was no stress or pressure on the deceased. Therefore, the petitioner cannot be held responsible for the suicide committed by the deceased. It is further submitted that FSL report regarding authenticity of the suicide note is not received and without such report, it cannot be relied upon. Therefore, the petitioner be granted bail.

7. On due consideration of suicide note, coupled with the other evidence available on record, I do not find it a fit case to allow bail to the petitioner, therefore, without commenting on merits of the case, the petition is dismissed.

**(Virender Singh)**  
**Judge**

Pankaj

Digitally signed by Pankaj Pandey  
Date: 2020.10.01 15:34:22 +05'30'