

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

222

CRM-M-21326-2019 (O & M)
Date of Decision:16.05.2019

Sanjay and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Paras Talwar, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioners have filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.20 dated 13.03.2019, under Sections 306, 34 IPC, registered at Police Station Naya Gaon, District SAS Nagar, Mohali.

Upon a complaint given by Sagar Bikka son of Monu deceased, FIR was registered wherein it was alleged that his father was employed with Mahesh Joshi owner of Joshi Caterers for the last 15 years. Sanjay and Neeraj (petitioners), co-employees were also working with the same caterer. According to the complainant, the petitioner and other two co-employees of the deceased were compelling his father to leave the job, which led to the extreme step of committing suicide by his father on the intervening night of

12/13.03.2019.

Learned counsel for the petitioners submits that the suicide note dated 12.3.2019 allegedly left behind by the deceased only refers to the alleged conspiracy for removal of the said person from the job. It is contended that till his death, the said employee continued to work with him and the alleged apprehension was misconceived. According to him, there is no act or omission on the part of the petitioners muchless to abet the said commission of offence. He submits that the petitioners are in judicial custody and not required for any further investigation in this case. He also contends that the concession of bail has been extended to Mahesh Joshi @ Kavi Datt, who was employer of the deceased.

On the other hand, learned State counsel has opposed the bail application of the petitioner on the ground that there is a specific allegation made by the said person in the suicide note. However, it is not disputed that the said employee continued to do the job with the said caterers. It is also not disputed that presently the petitioners are in judicial custody and the case of the petitioners is at par with the case of Mahesh Joshi.

Considering the abovesaid background of the case, further detention of the petitioners are not justified. Therefore, without commenting anything upon merits of the case, the petitioners are admitted to regular bail subject to their furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

16.05.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No