

**208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-26193-2021
Decided on : 26.10.2021

Lakhwinder Kumar @ Lucky

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Manoj R. Sharma, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.126 dated 13.05.2021 under Sections 306, 34 IPC 1860 registered at Police Station City Phagwara District Kapurthala.

The case of the petitioner is that he had been falsely implicated in the case in hand and no allegations qua instigation had been levelled against the petitioner, which could in any way attract the mischief of Section 306 IPC. Learned counsel for the petitioner has submitted that in fact, there was a matrimonial dispute between the deceased (Suraj) and his wife, which was the cause behind the suicide.

Learned counsel for the petitioner states that pursuant to order dated 09.07.2021, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Kuldip Singh states that the petitioner is not required for custodial interrogation.

In view of the above, the petition is allowed and interim order dated 09.07.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

26.10.2021
sonia

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No