

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

**CRM-M No.1967 of 2022
Date of Decision: 24.01.2022**

Moha Singh @ Lakhi

..... Petitioner

Versus

State of Punjab

..... Respondent

(Heard through video conferencing)

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab
for the respondent-State.

PANKAJ JAIN J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.227, dated 31.10.2021, registered under Sections 306 and 506 of IPC, at Police Station Dirba, District Sangrur.

As per the FIR, complainant has alleged that Raman Kumar and Manjinder Singh after consuming liquor threatened the deceased and used filthy language to him which abated him to commit suicide.

Learned counsel for the petitioner contends that it is a case where no offence is made out against the petitioner, even if, the allegations are taken to be correct on the face. So far as the allegations with respect to the partnership between the petitioner and the deceased is concerned, the same got dissolved much prior to the date of incident and both got involved in their independent businesses thereafter. So far as the

allegations with respect to the transfer of money of Rs.3000/- and the purchase of refrigerator is concerned, the same cannot be remotely related to the death of the deceased and it cannot be construed to make out an offence under Section 306 IPC against the petitioner.

Learned counsel for the State, on instructions from SI Gurdev Singh, has not controverted the said fact.

Keeping in view the aforesaid facts and without commenting upon the merits of the case, this Court finds that the petitioner is held entitled for grant of regular bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Nothing observed herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.01.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No