

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

CRM-M-34591-2022 (O&M)
Date of decision: 28.10.2022

Suresh Chand Kamboj

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Rupinder Singh Jhand, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-27932-2022

Application is allowed as prayed for.

Main case:

Prayer in the petition is for cancellation of regular bail granted to respondent Nos. 2 and 3, vide orders dated 27.06.2022 and 04.07.2022 respectively in case bearing FIR No. 156 dated 27.03.2022 registered under Section 306 IPC read with Section 34 IPC, at Police Station City Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that while allowing the bail to the private respondents, the suicide note and the CCTV footage of the day of committing suicide by Rajat (since deceased), were not taken in to

consideration by the learned Additional Sessions Judge, Kurukshetra; that there was so much pressure on the deceased; that even on the day of committing suicide by the deceased, respondent Nos. 2 and 3 along with others visited the house of the deceased and physically and mentally pressurized him and took Kanika Kamboj (respondent No.3) with them, due to which Rajat committed suicide; that at the time of suicide, respondent Nos. 2 and 3 were present in the house and the commission of offence clearly goes to establish that basic ingredients of Section 107 IPC gets attracted in the present case and that it is a case of clear-cut abetment.

Notice of motion.

On the asking of this Court, learned State counsel submits that the bail was granted to respondent Nos. 2 and 3 after presentation of challan and the mother and brother of respondent No. 3 were found innocent in the investigation. Respondent Nos. 2 and 3 have not misused the bail granted to them.

I have heard the learned counsel for the parties and have also gone through the documents on record.

Perusal of record would itself reveals that after completion of investigation, the mother and brother of respondent No.3 were found innocent and the challan qua respondent Nos. 2 and 3 was filed on 08.06.2022. The marriage of Rajat with respondent No. 3 was solemnized on 06.12.2021; that Rajat was a law graduate and was preparing for Judicial Services examinations and had committed suicide by hanging himself in his room; that Rajat committed suicide on 27.03.2022 due to some discord with respondent No. 3-Kanika Kamboj (his wife) and her family members and that the bail

was granted to respondent Nos. 2 and 3 after taking into all the facts and circumstances of the case. Respondent No.2 is the maternal uncle of respondent No.3.

In view of the above and the fact that respondent Nos. 2 and 3 have not misused the bail granted to them by the learned Additional Sessions Judge, the petition is liable to be dismissed.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

28.10.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No