

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10926-2022 (O&M)

Date of decision : 19.1.2023

Subash @ Gania

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sandeep Kumar Bokolia, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.26 dated 4.2.2022 registered under Sections 306, 34 IPC at Police Station City Kotkapura, District Faridkot.

FIR in this case was got registered by one Reshma wife of the deceased against the accused persons including the petitioner alleging that all of them were having friendship with the deceased and they compelled the deceased to indulge in drinking and gambling and further instigated him to end his life by committing suicide.

Counsel for the petitioner *inter alia* contends that the petitioner was having little bit of friendship with the deceased but never compelled the deceased to indulge in drinking and gambling and further, never instigated the deceased to commit suicide. He further submits that actually, the deceased was under financial debt and was unable to maintain his family

due to financial constraints and due to that reason, he ended his life and the

petitioner is not responsible for the same in any manner.

Counsel for the petitioner submitted that the petitioner has joined the investigation in compliance of order dated 15.3.2022 passed by this Court. State counsel on instructions from ASI Bhupinderjit Singh has not refuted the aforesaid assertions made by the counsel for the petitioner and further submits that the petitioner is not required by the police for further investigation or custodial interrogation.

Malafide intention or ill intention of the petitioner, if any, as has been alleged in the FIR, is to be tested during the trial.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 15.3.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

January 19, 2023
Paritosh Kumar

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