

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

**CRM-M-33731-2023
Date of decision : 14.11.2023**

Vijay Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.S. Dadwal, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to petitioner in FIR No.86 dated 26.07.2022, under Section 306 of the Indian Penal Code, 1860, registered at Police Station Division No. 3, Jalandhar.

(2) Allegations are that petitioner abetted Pawan Kumar to commit suicide.

(3) This Court, while issuing notice of motion on 20.07.2023, granted interim bail to the petitioner and which reads as under:-

“Contends that as per alleged suicide note dated 26.07.2022 itself; there is no allegation of abetment against the petitioner; and moreover, after completion of the investigation, challan has already been presented on 17.07.2023. Also contends that there is no criminal case pending against the petitioner.

Learned State counsel seeks time to have instructions regarding recovery of any material for complicity of the petitioner as well as pendency of other criminal case(s) against him.

Posted for 20.08.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

- (4) Contains that co-accused have already been granted concession of regular bail by the Coordinate Bench. Further submits that petitioner was granted interim bail on 20.07.2023 and there is no allegation that petitioner is likely to threaten the prosecution witnesses or hamper the trial in any manner.
- (5) Learned State Counsel, on instructions from police officer present in the Court, also not able to controvert the above factual position.
- (6) In view of above, interim order dated 20.07.2023 is made absolute and he be admitted to bail on furnishing fresh bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.
- (7) It is also made clear that petitioner shall fully co-operate and shall not take unnecessary adjournments before the learned trial Court.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) It is made clear that in case of any recurrence on the part of the petitioner, the State of Punjab would be at liberty to move an application for recalling of this order.
- (10) Disposed off accordingly.

November 14th, 2023
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No