

27.08.2024  
Sl No.207  
Court No. 29  
TN

**CRM (DB) 1453 of 2024**

In Re:- An application for cancellation of bail under Section 439 sub section 2 of the Code of Criminal Procedure, 1973 .

And

In the matter of: **Gopal Das**

.... petitioner

Mr. Hare Krishna Halder,  
Mr. Debasis Sur,  
Mr. Angshuman Patra,  
Mr. Dilip Kumar Das

....for the petitioner

Mr. Sanjay Bardhan,  
Ms. Rajashree Tah

... for the State

1. Affidavit of service is kept on record.
2. The learned counsel for the petitioner submits that the learned trial court has committed flagrant error in appreciating and interpreting the provisions under Sections 306/34 of the Indian Penal Code as the trial court has failed to appreciate that the petitioner has instigated the deceased to commit suicide.
3. The learned counsel for the State has submitted that the learned Sessions Judge may have overlooked the name of the opposite party in the suicide note although a reference was made to the suicide note in the order impugned.
4. The opposite party happens to be the elder sister of the wife of the deceased. The complainant is the father of the deceased.
5. The learned Trial Judge has recorded that the opposite party is a distant relative of the wife of the deceased. We have also read the suicide note and the other materials available in the

case diary and we are in agreement with the learned trial court that having regard to the nature of allegation and the materials available in the case diary, we are of the view that custodial interrogation of the petitioner would not be required for the purpose of investigation.

6. We direct the Investigating Officer to complete the investigation preferably within four weeks from the date of communication of this order.
7. Accordingly, the application for cancellation of bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**