

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

CRM-M-64297-2025
Date of decision: 19.11.2025

KARTIKEYA YADAV @ KARTIK YADAV

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

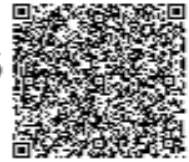
CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Vivek K. Thakur, Advocate and
 Mr. Kashish Thakur, Advocate
 for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

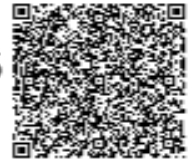
YASHVIR SINGH RATHOR. J.(Oral)

1. The present petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.130 dated 11.09.2025, registered under Sections 108 of BNS, 2023 at Police Station Satnampura, Phagwara, District Kapurthala.
2. Mr. Omkar Chauhan, Advocate has put in appearance on behalf of the complainant and filed his vakalatnama. The same is taken on record. Registry is directed to tag the same at an appropriate place.
3. Learned counsel for the petitioner, learned State counsel as well as learned counsel for the complainant have been heard and material collected by the police during investigation has been perused.
4. The present case was registered on the basis of statement given to the police by Anil Kumar with the allegations that he has one son namely Rohan



Kamboj, who was studying in Lovely Professional University, Phagwara and was residing in a PG. On 03.09.2025, at about 2:30 AM, his son committed suicide by hanging himself with the ceiling fan in his PG room and he was informed by his friend Agastya @ Abhi that his son was being harassed and mentally troubled by one Kartikeya Yadav @ Kartik Yadav (petitioner). He alleged that he has full belief that his son has committed suicide after being harassed and troubled by said Kartikeya Yadav @ Kartik Yadav and he sought action against him. Petitioner was arrested on 12.09.2025 and after completion of investigation, challan has been presented against the accused for trial.

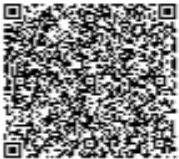
5. Learned counsel for the petitioner contended that petitioner has been falsely implicated. No suicide note has been left behind by the deceased which could indicate the reasons behind his suicide. The father of the deceased was allegedly informed by his friend Agastya @ Abhi that he was being harassed and troubled by petitioner. The police has recorded the statement of said Agastya @ Abhi under Section 161 Cr.P.C. (Corresponding to Section 180 of BNSS), according to which he was beaten by one Prince Kumar and the video of the incident was made and feeling perturbed, deceased committed suicide. Learned counsel further contended that statement of another student namely Anshree, who was a friend of the deceased has also been recorded under Section 161 Cr.P.C (Section 180 of BNSS), in which she has disclosed that on 30.08.2025, Rohan Kamboj came to her in PG room and misbehaved with her while he was under the effect of alcohol. Thereafter, she had sent him away but had informed her friends Prince Kumar and Kartik Yadav regarding the incident of misbehaviour but he committed suicide during the intervening night of 02/03.09.2025. Learned



counsel contended that petitioner was at Delhi and not at Phagwara and from the allegations levelled in the FIR as well as in the statement of Agastya @ Abhi, no offence under Section 108 of BNS, 2023 is made out as the necessary ingredients for the said Act are missing as there was no instigation on the part of petitioner which could compel the deceased to commit suicide. Petitioner is in custody since 12.09.2025. Challan has already been presented after completion of investigation. The trial will take a long time to conclude and no useful purpose will thus be served by detaining the petitioner in custody anymore and he may be released on bail.

6. On the other hand, learned State counsel assisted by learned counsel for the complainant have opposed the bail and argued that the co-accused Prince Kumar had beaten the deceased and made a video recording at the instance of the petitioner and had created such circumstances which compelled him to take the extreme step of committing suicide as he was being constantly harassed and petitioner thus does not deserve the benefit of bail.

7. From the allegations in the FIR and the material collected by the police, it will be a debatable question during the trial as to whether the ingredients of the offence under Section 108 of BNS are made out or not as instigation is a necessary ingredient which could compel a person to commit suicide. In case, some quarrel had taken place and deceased was beaten by one Prince Kumar, it cannot be termed as an act of instigation or compelling a person to commit suicide. Rather, instead of taking this extreme step, the deceased could have taken the recourse to law and approached the police, in case he was being harassed. Moreover, petitioner was not even present at Phagwara and was at Delhi during



these days. Whether, Prince Kumar had beaten the deceased at his instance shall also be the subject matter of trial. The trial will take a long time to conclude and no useful purpose will be served by detaining the petitioner in custody anymore and he deserves to be released on bail.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

9. Pending misc. application(s), if any, shall also stand disposed of.

19.11.2025
Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No