



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

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CRM-M-66680-2025 (O&M)

Decided on : 03.12.2025

PRINCE KUMAR**... PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

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

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. Present petition under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of regular bail to the petitioner in case FIR No.130 dated 11.09.2025, under Section 108 of BNS, 2023, registered at Police Station Satnampura, Phagwara, District Kapurthala.

2. I have heard learned counsel for the petitioner and learned State counsel and have gone through the record.

3. 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 co-accused Kartikeya Yadav @ Kartik Yadav. 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 13.09.2025 and after completion of investigation, challan has been presented against the accused for trial.

4. 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 the suicide by the deceased. The father of the deceased was allegedly informed by his friend namely Agastya @ Abhi that he was being harassed and troubled by one Kartikeya Yadav @ Kartik Yadav. The police has also recorded the statement of said Agastya @ Abhi under Section 180 of BNSS, according to which he was beaten by Prince Kumar (petitioner) 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 180 of BNSS, in which she has disclosed that on 30.08.2025, Rohan Kamboj (since deceased) 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 (petitioner) and Kartik Yadav regarding the incident of misbehaviour by deceased, but he committed suicide during the intervening night of 02/03.09.2025. Learned counsel further contended that even if the allegations levelled in the FIR are taken as possible truth, no offence under Section 108 of BNS, 2023 is made out as the necessary ingredients for the said offence are missing as there was no instigation or incitement on the part of petitioner which could drive the



deceased to commit suicide. Petitioner is in custody since 13.09.2025. Co-accused namely Kartikeya Yadav @ Kartik Yadav has already been released on bail by this Court on 19.11.2025, in CRM-M-64297-2025. 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.

5. On the other hand, learned State counsel has opposed the bail and argued that the petitioner had beaten the deceased and made a video recording of the incident and he had created such circumstances which compelled the deceased to take the extreme step of committing suicide and he was being constantly harassed and petitioner thus does not deserve a concession of bail.

6. 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 punishable under Section 108 of BNS are made out or not as instigation or incitement is a necessary ingredient which could compel a person to commit suicide. In case, some quarrel had taken place with the deceased and the petitioner had beaten him, 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. The petitioner is in custody since 13.09.2025. The challan has already presented. Moreover, co-accused namely Kartikeya Yadav @ Kartik Yadav has already been released on bail on 19.11.2025, in CRM-M-64297-2025.

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.

7. 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.

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

(YASHVIR SINGH RATHOR)
JUDGE

03.12.2025
Vishal Vardhan

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