

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

211

**CRM-M-9168-2026 (O&M)
Decided on: 29.05.2026**

SONU GABA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Sarabjit Singh Cheema, Advocate and
Mr. Parveen Bhadu, Advocate for the petitioner.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

SUBHAS MEHLA, J. (Oral)

1. By way of present petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS'), the petitioner is seeking regular bail in case bearing FIR No.337 dated 20.05.2023 (Annexure P-1) under Sections 306 read with Section 34 the Indian Penal Code, 1860 (for short – 'the IPC'), registered at Police Station Sirsa City, District Sirsa.

2. Allegations qua the petitioner are that he alongwith co-accused, namely, Ramesh harassed the deceased, namely, Subhash Nagpal alias Subhash Chander, by not allowing him to set up his fruit stall and extended life threats, thereby compelling him to take the extreme step of committing suicide.

3. Learned counsel for the petitioner prayed for grant of concession of regular bail on the following grounds:

(I) the petitioner has been falsely implicated in this case solely on the basis of suicide note of the deceased Subhash Nagpal;

(II) the petitioner has no concern with the suicide committed by the deceased as the incident referred therein occurred more than one year prior to the suicide;

(III) the petitioner has been in custody since 27.10.2025 i.e. for approximately 07 months;

(IV) investigation in the present case has been completed and charges have been framed and case is now fixed for prosecution evidence;

(V) no prosecution witness has been examined till date;

(VI) the petitioner is having clean and clear antecedents and is not involved in any other case; and

(VII) trial would take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him behind the bars for indefinite period.

4. Notice of motion.

5. On advance notice, Mr. Surender Singh Pannu, Addl. A.G., Haryana, who is present in the Court, accepted notice on behalf of respondent-State and opposed the grant of concession of regular bail on the ground that the petitioner has been named in the suicide note written

by the deceased and there are specific allegations of harassment qua the petitioner which led him to take the extreme step of committing suicide.

It is, however, fairly admitted that the investigation is complete; charges have been framed and case is now fixed for prosecution evidence and that no prosecution witness has been examined till date. Learned State counsel further admitted that the petitioner is having clean and clear antecedents.

6. Custody certificate dated 27.05.2026 of the petitioner has been filed by learned State counsel and the same is taken on record. As per custody certificate, the petitioner is behind the bars since 27.10.2025 i.e. for about 07 months and 01 day.

7. Heard.

8. Taking into consideration the facts and circumstances of the present case, the rival contentions raised by learned counsel for the parties, this Court finds merit in the present petition on the following aspects:

(I) the present petitioner has been in custody since 27.10.2025 i.e. for about 07 months and 01 day;

(II) investigation in the present case is complete and charges have been framed and the case is now fixed for prosecution evidence;

(III) no prosecution witness has been examined till date;

(IV) the petitioner is having clean and clear antecedents and is not involved in any other case;

(V) trial is likely to take sufficient time to conclude and as such, no fruitful purpose would be served by keeping him in custody for indefinite period.

9. Concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

10. Therefore, without expressing any opinion on the merits of the case, the present petition is **allowed**. The petitioner is directed to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(SUBHAS MEHLA)
JUDGE

29.05.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO