

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

Crl.Misc.No.M-7581 of 2015(O&M)

Date of Decision : 30.07.2015

Gurminder Singh alias Ranbir Singh alias Gagan

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.P.S.Ahluwalia, Advocate for the petitioner

Mr. Jaspreet Singh Sekhon, AAG, Punjab

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 24 dated 19.2.2014 registered under Section 304 IPC at Police Station City Hoshiarpur, District Hoshiarpur.

The facts of the case would indicate that the deceased died on account of drug over dose which is attributed to the petitioner.

Learned counsel for the petitioner contends that he is the one who took the deceased to the hospital and informed the parents and the whole case rests against him on the basis of an extra judicial confession made to one Harmesh Kumar who in his testimony has disowned the case of the prosecution to state that he does not even know the petitioner and further no statement was made by the petitioner confessing his guilt.

Prayer is opposed by the respondents.

After hearing learned counsel for the parties and noticing the fact that the petitioner is in custody since 25.2.2014 and the fact that for the time being the only evidence against the petitioner is of having made an

extra judicial confession to one Harmesh Kumar which stands shattered and further that the trial is likely to take some time, instant petition is allowed. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C. Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

July 30, 2015
rekha

(Mahesh Grover)
Judge