

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

CRM No.M-6313 of 2016 (O&M)

Date of Decision: 26.02.2016

Gurjant Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. Jasjeet S. Dhaliwal, DAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.97 dated 24.04.2015, under Sections 304/201/34 IPC, registered at Police Station Sadar Ferozepur, District Ferozepur.

Counsel for the parties have been heard.

Deceased in the present case is Vikram @ Vicky and whose dead body was identified on 20.12.2014 by his father/complainant, namely, Ram Gopal.

During the course of arguments, it has gone uncontroverted that in the initial statement of Ram Gopal recorded on 22.12.2014, he had stated that his son had died on account of influence of intoxicant and cold wave and had further stated that his son was a drug addict for which he had been medically treated.

It so transpires that four months thereafter i.e. on 21.12.2014, an application was submitted by Ram Gopal for getting the matter investigated from some senior police officials and in which he indicated that his son had been murdered under suspicious circumstances.

FIR in question came to be registered on the basis of subsequent statement recorded on 21.04.2015. In such statement, Ram Gopal stated that on having inquired into the matter at his own level, he had come to know that on 19.12.2014 his son, Vikram @ Vicky had an altercation with Gursewak Singh @ Seba as also the present petitioner and who have given beatings to his son leading to his death.

It would be apposite to take note that co-accused, Gursewak Singh @ Seba has been granted benefit of bail by this Court in the light of order dated 01.10.2015 in CRM No.M-30268 of 2015 at Annexure P-4 and in such order, it was clearly noticed that the complainant, Ram Gopal had come present in the Court and suffered a statement that his son, Vikram @ Vicky (since deceased) was a drug addict and the FIR against Gursewak Singh @ Seba had been registered on incorrect information.

Learned State counsel would apprise the Court that investigation in the case has been completed and the challan has been presented on 25.02.2016.

Petitioner has been in custody since 29.12.2015.

In an overview of the matter and without making any observations on merits, the present petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

Disposed of.

26.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**