

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

**CRM-M-39015-2018
Date of decision: 14.09.2018**

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amandeep Saini, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No. 0091 dated 04.07.2018, registered under Section 304 of the IPC at Police Station Balachaur, District S.B.S. Nagar.

As per the allegations in the FIR, recorded on the statement of one Kuldeep Kumar, his nephew Aditya Pathak left home on 01.07.2018 at about 8:30 PM and at that time, he was talking to his friend from his mobile number 95928-04702 and was addressing his friend as “Deepi”.

Later on, Aditya Pathak died on account of overdose of the drugs. The police thereafter recorded the supplementary statement of Kuldeep Kumar that even his sister has informed the aforesaid fact.

Learned counsel for the petitioner submits that there is no direct allegation against the petitioner and petitioner is not required for any custodial interrogation.

Learned State counsel, on instructions from ASI Satnam Singh,

submits that as per the mobile phone recovered near the dead body of deceased Aditya Pathak, it is found that the petitioner had called him for six times and the petitioner is also involved in an FIR under the NDPS Act as well as under the Excise Act and the allegations against the petitioner are that he has supplied narcotic drugs to deceased who had died later on, therefore, custodial interrogation of the petitioner is highly required.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, considering the fact that there are serious allegations against the petitioner and his custodial interrogation is required for proper investigation of the case, I find no ground to grant him anticipatory bail.

Accordingly, the petition stands dismissed.

September 14, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No