

CRM-M-2820-2019

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

CRM-M-2820-2019

Date of Decision:13.02.2019

Kamal Chaudhary

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rakesh Gupta, Advocate,
for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.41 dated 16.05.2018, registered at Police Station Naggal, District Ambala, under Sections 201, 302 and 328 of the Indian Penal Code, 1860.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

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

As per the prosecution version, deceased Shubham @ Golu had accompanied the present petitioner along with other co-accused for

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taking the drugs in the rented house and motive is stated to be that he refused to pay the share of his drug; then all the accused including the petitioner had given overdose to him and he died. The doctor after the post mortem report and FSL report has also stated that cause of death could not be ascertained in the present case. PW1 Harvinder Singh @ Monu witness of last seen, as submitted by learned counsel for the petitioner, has turned hostile and not supported the prosecution version.

The petitioner has been in custody since 20.05.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

13.02.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No