

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

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**CRM-M No.6901 of 2019.
Date of Decision: 11.03.2019.**

Jagjot Singh alias Jot

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Sherry K. Singla, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code has been filed for grant of regular bail to the petitioner in case F.I.R. No.144 dated 11.06.2018 under Sections 304, 120-B of the Indian Penal Code and Section 21, 61, 85 of the N.D.P.S. Act, registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel representing the petitioner contended that the petitioner has been falsely implicated in the case whereas the petitioner has no role in death of Kamal Maheshwari. As per prosecution case, Charanjit Singh son of Bira Singh and Kamal Maheshwari were earlier admitted at De-addiction Centre at Maler Kotla as Kamal Maheshwari was a drug addict. Subsequently, death of Kamal Maheshwari had taken place and as per F.S.L. report, the cause of death is by taking overdose of drug.

Learned counsel further contended that the petitioner has no role to cause of death of Kamal Maheshwari and there was no recovery of any drugs from the present petitioner whereas the petitioner is in custody since 11.06.2018. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Learned State counsel verified the period of custody and also that earlier Kamal Maheshwari and Charanjit were admitted at De-addiction Centre as both of them were drug addicted and death of Kamal Maheshwari had taken place because of overdose of drug.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to any of the party and taking into consideration the fact that the petitioner is in custody since 11.06.2018 and the fact that trial of the case still to take some more time and no useful purpose would be served by detaining the petitioners behind the bar any more, the present petition is allowed. Petitioner-Jagjot SIKNGH alias Jot is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

11.03.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No