

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

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**CRM-M No.13705 of 2019.
Date of Decision: 11.04.2019.**

Karamjit Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. H.S. Jalal, Advocate, for the petitioner.

Mr. Rajat Bansal, 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 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 drug from the present petitioner, but only a syringe was allegedly

recovered from the present petitioner, which fact has been denied by the petitioner. The petitioner is in custody since 11.06.2018. Co-accused Jagjot Singh alias Jot has already been admitted to bail vide order dated 11.03.2019 passed by this Court in CRM-M No.6901 of 2019 and the role of the present petitioner is identical. 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 the case of either of the parties, but taking into consideration the fact that the petitioner is in custody since 11.06.2018 and co-accused Jagjot Singh alias Jot has already been admitted to bail vide order dated 11.03.2019 passed by this Court in CRM-M No.6901 of 2019; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Karamjit Singh 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

11.04.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No