

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

226

CRM-M-19780-2019.

Date of Decision: 15.07.2019.

Charanjit Singh

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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

Ms. Monika Jalota, Deputy Advocate General, Punjab.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner- Charanjit Singh son of Bira Singh in case F.I.R. No.144 dated 11.06.2018 under Section 304 of the Indian Penal Code (Section 120-B IPC added lateron) and Section 21 of the N.D.P.S. Act, registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel representing petitioner contended that the petitioner is in custody since 11.06.2018 and challan has since been presented before learned Area Magistrate but the same has not been committed for trial and the petitioner is continuing in custody.

Learned counsel for the petitioner further contended that cause of death Kamal Maheshwari was overdose of drugs as Kamal Maheshwari was a drug addict as per police report even and the petitioner was not

still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel, on instructions from ASI Jagir Singh, fairly conceded that deceased in this case was drug addict and cause of death was overdose of drugs.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact that deceased himself was a drug addict and cause of his death was overdose of drugs and moreso, the petitioner is in custody since 11.06.2018; the trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Charanjit 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

15.07.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No