

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-47348 of 2019
Date of Decision: 12.12.2019

Sandeep Singh @ Gajja

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab

Mr. Vivek Singla, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.20 dated 20.01.2019 registered for offences punishable under Sections 304 of Indian Penal Code (for short, "IPC") and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Jandiala, Amritsar Rural, District Amritsar.

Heard.

Learned counsel for the petitioner submits that as per allegations in the FIR, brother of complainant, namely, Kuldeep Singh, became a drug addict in the company of petitioner and died due to overdose of drugs taken by him. The petitioner has been arrested on suspicion that excessive dose of drugs was administered to brother of complainant by him.

Learned State counsel submits that the petitioner has been apprehended on statement of complainant, who expressed his suspicion that

his brother died because of company of petitioner and administering of overdose of drugs to him.

Learned counsel for petitioner submits that registration of FIR was due to outburst of anger of complainant and now the parties have entered into a compromise and complainant-Gurmeet Singh has given affidavit to this effect, copy of which has been place on file as Anneuxre P-2.

Without expressing any opinion on merits of the case and keeping in view the submission of learned State counsel and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sandeep Singh @ Gajja is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

December 12, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No