

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

CRM-M-4046 of 2020
Date of Decision: 29.05.2020

Sukhpreet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE S.N. SATYANARAYANA

Present: Mr. Rabir Singh Sekhon, Advocate
for the petitioner.

Mr. H.S. Grewal, DAG, Punjab.
*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in
Virtual Court)*

S.N. SATYANARAYANA, J.(Oral)

Present petition has been filed by the second
accused,namely, Sukhpreet Singh under Section 439 Cr.P.C. seeking
bail pending trial in case FIR No.113 dated 25.09.2018, under Section
304 of the Indian Penal Code registered at Police Station Ghall Khurd,
District Ferozepur.

The accusation against the petitioner herein and another
accused in the aforesaid FIR is that they are drug addicts and they
were in the company of victim, namely, Buta Singh regularly and all
three of them used to consume drug together. It is stated that on the
day of occurrence i.e. 24.09.2018, the son of the complainant namely

Buta Singh is said to have died due to consumption of poisonous substance. The material on record would not indicate whether the said poisonous substance was taken by the deceased on his own or whether it was administered by the petitioners and other accused. There are no direct evidence with reference to the same it is under the suspicion and circumstantial presumption of involvement that the petitioner herein and another accused were alleged to have committed the act of causing death of the son of the complainant-Bootia Singh.

The above factual position is duly acknowledged by learned State counsel.

Heard learned counsel for the parties and perused the paper book.

Admittedly, the first accused namely, Tarsem Lal has granted the concession of bail under Section 167(2) Cr.P.C. in view of the charge- sheet not being filed within the stipulated period. It is under the aforesaid circumstance and also for the reason that there is no material available on record to indicate involvement of the petitioner herein bail is sought for him also.

It is also contended that, the trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping the petitioners behind the bars any more. Without expressing any opinion on the merits of the case, this petition is allowed. Petitioner, namely, Sukhpreet Singh be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[S.N. SATYANARAYANA]
JUDGE

May 29, 2020
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no