

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-12996 of 2020 (O&M)
Date of decision : September 22, 2020

Paramjit Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Achin Gupta, Advocate, for the petitioner

Mr. Randhir Singh Thind, DAG, Punjab

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Paramjit Singh has sought anticipatory bail application in case FIR No. 152 dated 8.7.2019, under Sections 304/34 IPC, Police Station City Faridkot.

The allegations against the petitioner are that complainant Sandeep Gill alleges that his son Amit Gill (now deceased) was friend of Prince alias Ranjha son of the petitioner

and both of them used to consume intoxicants together. It is alleged that on 7.7.2019, around 3.15 PM, Prince @ Ranjha took away son of the complainant and who thereafter did not return back and rather switched off his mobile phone. It is subsequent thereto when the complainant along with his neighbour looking out for his son, the accused-petitioner told them that both Prince @ Ranjha and Amit Gill have gone out together and thereafter Amit Gill was found in unconscious state near agricultural farm from where he was rushed to the hospital where he was declared brought dead.

Learned counsel for the petitioner inter-alia contends that the petitioner happens to be the father of Prince @ Ranjha friend of the deceased and has no specific role in the commission of the offence and nothing is to be recovered from him.

Learned State counsel has strongly opposed the bail on the grounds that the petitioner has failed to join the investigations inspite of directions of this Court thus disentitles him to any relief.

Appreciating the submissions, admittedly as is conceded to at the bar by the learned State counsel, no specific role is attributed to the petitioner in the commission of the offence. It is merely on account of the fact that he happens to be the father of the friend of the deceased and suspected that his son was administered

intoxicant at the behest of Prince @ Ranjha which has resulted in his death. In the light of the such vague allegations, sending the petitioner behind the bars would be traversy of justice.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court. Presently, the petitioner is directed to join investigation within 15 days of the receipt of the copy of order failing which bail granted to the petitioner shall automatically stand cancelled, in view of insolence shown by the petitioner to the earlier orders of this Court.

The present petition stands disposed of.

September 22, 2020

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No