

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

CRM-M-21015-2020
Date of decision : 11.08.2020

Tarsem Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Sekhon, Advocate,
for the petitioner.

Mr. A.A. Pathak, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.113 dated 25.09.2018, registered under Section 304 of the Indian Penal Code, at P.S. Ghall Khurd, District Ferozepur.

Learned counsel refers to the statement of complainant Binder Singh, father of the deceased, Buta Singh, that the deceased was a drug addict along with the petitioner. No injuries were noticed on the person of the deceased. Co-accused Sukhpreet Singh has already been allowed bail by this Court vide order dated 29.05.2020 (Annexure P-2). There was no motive with the petitioner to murder the deceased.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that the petitioner administered heavy dose of drug to the deceased. However, he admits the fact that no injuries were noticed on the person of the deceased.

Heard.

Unfortunately, no motive has surfaced with the petitioner to

eliminate the deceased, who was admittedly a drug addict. It is also admitted case of the parties that no injuries were found on his person. Co-accused Sukhpreet Singh has already been released on bail by this Court. He is behind the bars since 26.09.2018 and is not involved in any other FIR. Therefore, this Court feels that no useful purpose would be achieved in keeping the petitioner in further incarceration.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

11.08.2020

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No