

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

**CRM-M-41249-2019
Date of decision-13.01.2020**

Rahul Singh @ Kala

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S.Sekhon, Advocate for the petitioner.
Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Rahul Singh @ Kala has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.152 dated 08.07.2019 registered under Section 304 read with Section 34 of Indian Penal Code, 1860 at Police Station City, Faridkot, District Faridkot. The petitioner is in custody since his arrest on 04.08.2019.

The FIR was lodged on the statement of Sandeep Singh Gill son of Sampuran Singh wherein it was stated that complainant's son was a drug addict. The complainant used to stop him from consuming drugs and he also got him admitted in Drug De-Addiction Centre. On 07.07.2019, at about 3.15 p.m., Prince @ Ranjha and one unknown person came to the house of the complainant and took away his son with them. Complainant's son did not return home till 7.15 p.m.. Upon search, son of the complainant was found lying unconscious near the Wall of Agricultural Farm, thereafter, he was declared dead. On these broad allegations FIR was registered.

Learned counsel for the petitioner contends that the victim died of over dose of drugs, who was a drug addict. He submits that the FIR itself contains the fact that the victim was got admitted in Drug De-Addiction Centre by the complainant. According to him, the FIR is founded on suspicion alone. He submits that the petitioner is not named in the FIR, and investigation of the case is complete, therefore, further custody of the petitioner is not necessary. Learned counsel has further placed reliance upon order dated 10.01.2020 passed in CRM-M-55415-2019, whereby concession of regular bail has been extended to co-accused by this Court.

On the other hand, learned State counsel assisted by ASI Raj Singh has opposed the prayer, however, it is not disputed that the investigation of the case is complete. It is also not disputed that co-accused has been granted the concession of regular bail.

After hearing learned counsel for the parties, this Court is of the opinion that the trial of the case is likely to consume considerable time, therefore, further custody of the petitioner may not be justified, particularly when the investigation is complete. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

13.01.2020

Gulati/vanita

Whether speaking/reasoned :

Whether Reportable :

(MANOJ BAJAJ)
JUDGE

Yes

Yes

No

No