

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 4561 of 2020
Date of Decision: 24.3.2021**

Sukhwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Sandeep Kumar, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 88 dated 20.8.2019 under Section 304 IPC registered at Police Station Zira, District Ferozepur.

Short reply by way of affidavit of Deputy Superintendent of Police, Zira, District Ferozepur dated 5.11.2020, has been filed, which is taken on record.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Ferozepur dated 23.3.2021, has been filed, which is taken on record.

Learned counsel for the petitioner submits that in the present FIR, complainant Manjit Kaur has alleged that her son Jobanjit Singh (since deceased) came back home after taking intoxicant from the petitioner and he entered the room and after bolting it from inside, injected the intoxicant material with a syringe in his left arm. He further submits that the complainant has also alleged that deceased Jobanjit Singh had stated that

wrong intoxicant material has been supplied by the petitioner. Learned counsel further submits that false allegations have been levelled against the petitioner and even as per the prosecution version, the deceased was a drug addict. He further submits that the petitioner has been in custody since 20.8.2019.

Learned State counsel, on the instructions from HC Karaj Singh, submits that there is one more case against the petitioner under the NDPS Act, in which he is on bail. He further submits that in the present case, charges have been framed and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

As per the allegations of the complainant in the FIR, deceased Jobanjit Singh has injected intoxicant with a syringe in his left arm, after bolting the room from inside. As per the custody certificate, the petitioner has been in custody for the last 01 year, 07 months and 02 days. Charges have been framed in the present case but no prosecution witness has been examined till date. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

March 24, 2021

Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No