

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

CRM-M-13695 of 2021(O&M)

Date of Decision: 25.03.2021.

Mani Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARUN MONGA

**Present : Mr. Fariad Singh Virk, Advocate
for the petitioner.**

ARUN MONGA, J. (ORAL)

1. This is second foray of the petitioner before this Court seeking anticipatory bail in FIR No.362 dated 02.08.2020 registered under Section 304 IPC at Police Station City Barnala, District Barnala. His first bail petition bearing CRM-M-27398 of 2020 was dismissed on 11.09.2020.

2. Per FIR, one Balvir Singh informed that his deceased son Dhanpal Singh was a drug addict and on 01.08.2020 at about 4/5 PM, one unknown person came to meet him. He was carrying some intoxicant substance in a polythene. He handed over the same to his son and went away. His son also left the house along with the intoxicant substance, but he never returned alive. Next morning, dead body of his son was found on the terrace of Kotha of one Major Dass, where he had earlier also taken drugs. Death was caused by over doze of the intoxicant substance supplied by the unknown person.

3. In course of arguments, no new or changed circumstance has been brought out by learned counsel for the petitioner, warranting change of mind to grant anticipatory bail, after dismissal of the first petition.

4. While, on the other hand, learned State counsel submits that petitioner does not deserve any discretion in view of his past antecedents. He was earlier convicted under Narcotic Drugs and Psychotropic Substances Act case in the year 2014. Though he is presently on bail, and his conviction is suspended. He further submits that, even in the FIR in question, the allegations against him are with regard to the supply of contraband, having the trapping of Narcotic Drugs and Psychotropic Substances Act. In the past too, he was found indulging in sale of contraband. He further submits that, on the disclosure statement of prime accused, it has come to knowledge that it was the petitioner who was the supplier of the contraband, which was consumed by the victim, resulting in his death due to its over dose.

5. Looking into the serious nature of the allegations, I am of the view that no indulgence is required for granting anticipatory bail to the petitioner. He needs to be investigated to unearth the entire *modus operandi* as per allegations contained in the FIR.

6. Dismissed.

March 25, 2021

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(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No