

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

CRM-M-16120 of 2021

Date of decision:05.07.2021

Kewal Singh

... Petitioner(s)

versus

State of Punjab

... Respondent (s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Ms. Gagandeep Singh Bajwa, Advocate  
for the petitioner.

Mr. Randhir Thind, DAG, Punjab.

**Through Video Conference****JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Section 439 of Criminal Procedure Code, for grant of regular bail in FIR No.95 dated 16.07.2020 under Section 304/34 IPC, Police Station Gharinda, District Amritsar Rural.

Learned counsel for the petitioner has submitted that even as per the FIR itself the complainant has stated in the FIR that the deceased was a drug addict but the petitioner has been attributed the role that he had administered an injection to the deceased and thereafter, he had died. He has submitted that the prosecution has concocted a story for implicating the petitioner. He has further submitted that the petitioner is in custody since 19.07.2020, which is almost one year and the investigation of the case is already complete and the challan stands presented by the police. He has further submitted that it is likely that the trial of the case may take long time and no recovery is to be effected from the petitioner. He has further submitted that the petitioner is not involved in any other case and the other co-accused, who is also similarly situated with the present petitioner has been granted anticipatory bail by this Court in CRM-M-9848-2021.

Mr. Randhir Thind, learned DAG, Punjab has submitted that it is correct that the petitioner is in custody since 19.07.2020 and the investigation of the case is already complete and challan stands presented. However, he has opposed the grant of bail on the ground that in the FIR itself the complainant has stated that he has seen the injection being given by the petitioner to the deceased. However, the learned State counsel has not disputed that the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

The custody of petitioner not in dispute. It is also not disputed that the petitioner is not involved in any other case and investigation of the case is already complete and the challan stands presented and no recovery is to be effected from the petitioner at this stage. The other co-accused has also been granted anticipatory bail by Coordinate Bench of this Court. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with the evidence or may flee from justice.

Therefore, keeping in view the totality and circumstances of case and without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is granted the concession of regular bail. He be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

05.07.2021  
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**[JASGURPREET SINGH PURI]**  
**JUDGE**

Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No