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

Date of decision: 02.11.2021

1. CRM-M-6809-2021 (O&M)

Jagdeep Singh

Petitioner

Versus

State of Haryana

Respondents

2. CRM-M-19766-2021

Devinder Singh

Petitioner

Versus

State of Haryana

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Moin Hussan, Advocate for the petitioner
in CRM-M-6809-2021.

Mr. A.D.S. Sukhija, Advocate for the petitioner
in CRM-M-19766-2021.

Ms. Dimple Jain, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through
video conference.

[2] These two petitions are filed seeking regular bail in FIR
No. 72, dated 19th July, 2020, under Section 304 read with Section 34

IPC (Section 302 IPC converted to Section 304 IPC) registered at Police Station Rajpur Rain, District Panchkula.

[3] The FIR was registered on complaint of Mahaveer Singh. As per allegations, son of the complainant namely Arun Kumar went with four persons including Jagdeep Singh and Sandeep Ganga. Later on Arun Kumar was found dead lying on driver seat of car bearing registration No. HR-03W-1731. During investigation, Section 302 IPC was deleted and Section 304 was added. Jagdeep Singh was arrested during investigation, on the basis of disclosure statement of Nanak Chand. During investigation it revealed that drug injection was given by Devinder Singh at his house on asking of the accused. The death was result of drug overdose.

[4] Learned counsel for the petitioners submits that Jagdeep Singh is in custody since 28th August, 2020 and Devinder Singh is in custody since 5th March, 2021. Investigation is complete, no recovery is to be made.

[5] Learned State counsel opposes the prayer for grant of bail. She submits that there is loss of human life and Devinder Singh is involved in four more cases under the NDPS Act.

[6] Learned counsel for the petitioner submits that out of four cases Devinder Singh is on bail in three cases and all the cases are of non-commercial quantity, he is a habitual consumer of drugs.

[7] The role of giving injection to the deceased has been attributed to Devinder Singh. *Prima facie* cause of death is drug over

dose. The name of Jagdeep Singh surfaced in disclosure statement. Investigation is complete, no recovery is to be made. Conclusion of trial is likely to take time. The petitioners are granted regular bail subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

- [8] The petitions are allowed.
- [9] However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.
- [10] Since the main cases are allowed, the pending application if any, stands infructuous.
- [11] Photocopy of this order be placed on the file of connected case.

2nd November, 2021
pankaj baweja

[AVNEESH JHINGAN]
JUDGE

1. Whether speaking/ reasoned

:

Yes

2. Whether reportable

:

Yes