

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

**CRM-M-22716-2021
DECIDED ON: 2nd JULY, 2021**

GURVINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Jasinder Singh, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in FIR No. 329, dated 14.11.2020, under Sections 304/34 IPC registered at Police Station, Maqboolpura, Distt. Amritsar.

The FIR was at the behest of Suraj. It was alleged that Gurvinder Singh (Petitioner) took the brother of the complainant namely Chandan to the house of Jyoti where Major Singh was also residing. It was further stated that they were drug addicts and used to take injections of intoxicant. Brother of the complainant was given an overdose of intoxicant, he was taken to the hospital where he died due to overdose.

Learned counsel for the petitioner submits that it was the case where the deceased voluntarily accompanied the accused. They all consumed drugs and unfortunately Chandan lost his life due to overdose. It is further argued that the petitioner is not involved in any other case.

Learned State counsel opposes the grant of bail. She submits

that the challan stands presented on 11th January, 2021 and charges have

been framed but prosecution witnesses are yet to be examined.

Prima-facie, there are no allegation that Chandan (deceased) was forcibly given the intoxicating substance. The case set up is that he accompanied accused and it was due to overdose he lost his life. Investigation in the present case is complete; no recovery is to be made; *albeit* charges have been framed yet conclusion of the trial is likely to take time; petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

(AVNEESH JHINGAN)
JUDGE

2nd JULY, 2021
shabha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>