

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

230

CRM-M-40637-2021

DATE OF DECISION: 10.12.2021

DAVINDER SINGH ALIAS KALLU

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Arjun Veer Sharma, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.97 dated 06.04.2021, under Sections 304, 201, 34 IPC, registered at Police Station Salem Tabri, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged that the deceased had died due to drug overdose. The petitioner is not named in the FIR and has been arraigned as an accused on the supplementary statement of the complainant recorded later wherein it is stated that the deceased was a drug addict and the petitioner and co-accused used to take drugs with the deceased and they had administered overdose of drugs resulting in his death. He also contends that it would be improbable that offence under Section 304 IPC would be made out in the afore-noted facts and circumstances. He also contends that the petitioner, who is 30 years of age, is in custody for over seven months and does not have criminal antecedents. He also contends that co-accused Tajinder Singh @ Teji has been granted regular bail by this court in CRM-M-34652-2021 on 17.11.2021.

Learned State counsel states that although challan has been filed but no prosecution witness has been examined so far. She, however, contends that the petitioner and co-accused had travelled with the deceased together and then they had consumed intoxicants.

Heard.

In view of the above, especially when the petitioner is 30 years of age, he is in custody for over 7 months, co-accused has been granted regular bail, he does not have criminal antecedents, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

10.12.2021

SwarnjitS

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