

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

CRM-M-42297-2021

Date of Decision: 26th November, 2021

Surjit Singh @ Kaka

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. Petitioner aggrieved of rejection of prayer of regular bail in FIR No. 88 dated 8th July, 2021, under Section 304 IPC and 22,61 of NDPS Act, 1985 registered at Police Station Sadar Batala, District Gurdaspur is before this Court under Section 439 Cr.P.C.

2. Harjinder Kaur lodged the FIR alleging that on 7th July, 2021, her son Jaswant Singh went along with Surjit Singh @ Kaka at about 7 PM. She received an information that her son's dead body was lying in the fields of Gursewak Singh. She along with his brother and other respectables reached the spot and saw the dead body. She alleged that the cause of death is due to administering of overdose of intoxicant.

3. Learned counsel for the petitioner submits that petitioner is in custody since 14th July, 2021, investigation is complete, as per the post-mortem report, the morphine was detected and no poison was detected.

4. Learned State counsel opposes the prayer for grant of regular bail. He submits that petitioner was last seen along with the deceased.

5. Without commenting upon the merits of the case, the allegations are of overdose of intoxicant, no recovery is to be made from the petitioner and conclusion of the trial is likely to take time, petitioner is granted bail, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

26th November, 2021

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No