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

CRM-M-46450-2021

Date of decision-11.11.2021

Gurinder Singh @ Kaka

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mayank Mathur, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.254 dated 31.08.2021 under Section 304 Indian Penal Code, 1860 registered at Police Station Tripuri, District Patiala, who is in custody since his arrest on 31.08.2021.

The present FIR was registered on the statement of Baldev Singh son of Bachan Singh, wherein it was alleged that his son- Mandeep Singh had started consuming drugs, therefore, he had sent his son to Bhai Daya Singh Simran Abhiyas School, where he served as a driver. On 29.08.2021, Gurinder Singh @ Kaka (petitioner) took complainant's son on his motorcycle bearing No.PB-11-AN-7130 from

Faggan Manjra Village. At about 3.26 p.m., petitioner informed telephonically to complainant that his son is lying unconscious and they should take him to house. When complainant's wife and other relatives reached at the spot, Mandeep Singh was lying dead. It was also mentioned in the FIR that complainant's son died of higher doses of drugs by injection. On these broad allegations, FIR was registered.

Learned counsel for the petitioner argued that as per the allegations in the FIR, son of the complainant voluntarily accompanied the petitioner and consumed drugs by injection and died. According to him, the police has registered a case only for the alleged culpable homicide not amounting to murder, whereas there is nothing to indicate the involvement of the petitioner in the alleged crime. According to learned counsel, further custody of the petitioner may not be necessary, who prays for bail.

On the other hand, learned State counsel assisted by SI Ajit Kaur though has opposed the prayer, but does not dispute the contents of the FIR. He further states that the investigation of the case is complete, however, final report is yet to be filed.

Considering the above background, custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time as the final report is yet to be filed, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after his arrest on 31.08.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

11.11.2021

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(MANOJ BAJAJ)
JUDGE

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