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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18482-2022
Date of Decision: 27.07.2022

Amandeep Singh @ Amna

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. J.S. Sandhu, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 128 dated 13.10.2021, under Section 304 IPC, registered at Police Station City Rampura, District Bathinda, Punjab.

It has been submitted by the learned counsel for the petitioner that the petitioner is in custody from 13.10.2021 and investigation of the case has already been completed and charges have been framed on 22.04.2022 but no witness has been examined. He further submitted that it is a case where the name of the petitioner has been surfaced only on the ground of suspicion and the entire case is based on circumstantial evidence. He further submitted that the deceased was already a drug addict and he had taken overdose of the drug and consequently he died. However,

a number of accused have been nominated in the present case including the petitioner. He further submitted that so far as the petitioner is concerned, he belongs to the same village and has been falsely implicated in the present case. He further submitted that be that as it may, the investigation of the case has already been completed and no recovery is to be effected from the petitioner and therefore, he may be considered for the grant of regular bail.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has submitted that it is correct that the petitioner is in custody from 13.10.2021 and investigation of the case has been completed and challan has been presented before the competent Court and the charges have also been framed in the present case. He further submitted the petitioner is involved in two more cases under NDPS Act but he is already on bail in the aforesaid cases.

I have heard the learned counsel for the parties.

As per the learned counsel for the parties the petitioner is in custody from 13.10.2021. The investigation of the case has already been completed and charges have also been framed. As per the allegations, the deceased had died due to heavy intoxication and the case is based upon circumstantial evidence. The trial of the case may take long time and it is not the case of the State that in case the petitioner is released on bail, then he may abscond or may influence any witness. Furthermore, as per the learned State counsel no recovery is to be effected from the petitioner.

Therefore, considering the aforesaid facts and circumstances, this Court is of the view that the petitioner is entitled for the grant of regular bail.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

27.07.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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