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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-36161-2022 &
CRM-41011-2022
Date of Decision: 15.11.2022

SUNNY SINGH ALIAS SUNNY GHODI

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present : Mr. Kapil Khanna, Advocate
for the petitioner.

Ms. Kanika Sachdeva, AAG Haryana.

Mr. Amit Thakur, Advocate
for Respondent No.2/complainant.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in the case bearing FIR No.109 dated 21.05.2022 under Section 304, at Police Station City Kapurthala, District Kapurthala.

Notice of motion to both the respondents.

Ms. Kanika Sachdeva, AAG Haryana, accepts notice on behalf of the State/ Respondent No.1 and has furnished custody certificate of the petitioner as per which he is found to be in custody for almost 4 months.

Mr.Amit Thakur, Advocate has put in appearance on behalf of the complainant and has pleaded no objection if the present bail application is allowed.

The counsel for the petitioner while praying for grant of regular bail to the petitioner contends that there are no specific allegations against the present petitioner who is languishing behind the bars for last more than four months. The counsel for the petitioner further contends that as per the FIR, the deceased was drug addict and he used to go to Ajay Plumber and Sabbi to get drugs and even on the date of occurrence he told the complainant that he was going to Ajay Plumber and Sabbi to get drugs and thereafter his dead body was found lying in the bathroom of his own house. The counsel for the petitioner further submits that the petitioner is not responsible in any manner for the death of deceased Mandeep Singh.

The present petition is resisted by the State counsel, who on instructions from ASI Rajinder Kumar submits that the petitioner is name in the FIR and he provided drugs to the deceased which resulted in his death and even as per the report of the Medical examiner, morphine was found in the viscera of the deceased. The State counsel further submits that after the death of Mandeep Singh, the petitioner suffered extra-judicial confession before Rajinder MC on 11.07.2022.

The State counsel also apprised the Court that after completion of investigation the police has presented the challan but charges are yet to be framed.

I have considered the submissions made by the counsel for the parties. Admittedly, the deceased was a drug addict and as per the allegations recorded in the FIR he used to procure drugs from Ajay Plumber and Sabbi and even on the date of occurrence the deceased Mandeep Singh told his father/ complainant that he is going to Ajay Plumber and Sabbi to get drugs and thereafter at about 4:30 pm the dead body of Mandeep Singh was found lying in the bathroom of his own house. There are no allegations

in the FIR or otherwise that the present petitioner was forcibly providing or administering drugs to the petitioner which resulted in the death of Mandeep Singh. Further, the counsel appearing on behalf of the complainant has no objection if the present petition is allowed. Furthermore, the trial is not proceeding ahead as charges are yet to be framed and even thereafter it will take considerable time for the trial to conclude.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

November 15, 2022
Parkash

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

CRR-164-2015

Date of Decision: 15.11.2022

HARMINDER SINGH

....Petitioner

VERSUS

NAVTEJ SINGH AND ANR.

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present : Mr. M.S. Dhani, Advocate
for the petitioner.

KARAMJIT SINGH, J. (Oral)

The counsel for the petitioner makes prayer that he be allowed
to withdraw the present revision petition.

In view of the above, the present petition is hereby dismissed as
being withdrawn.

(KARAMJIT SINGH)
JUDGE

November 15, 2022

Parkash

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No