

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

CRM-M-46415-2022

Date of decision: 04.10.2022

Chamkaur Singh @ Gurpreet Singh @ Gur

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

Mr. V.G. Jauhar, Addl.A.G., Punjab.

NAMIT KUMAR, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in a case bearing FIR No.101 dated 30.06.2022 under Sections 304/120-B of IPC registered at Police Station Makhu, District Ferozepur.

The case of the prosecution is that on 30.06.2022 ASI Kirpal Singh No.1758, Police Station Makhu, Incharge of Police Post Joge Wala, in connection with search of bad elements was present at bus stop of Village Joge Wala, received secret information that Rajpal Singh alias Vicky son of Late Gurdeep Singh along with Zora Singh, Lakhwinder Singh alias Lakhu, Gurpreet Singh alias Gur, Gurcharan Singh alias Gaggu and Buta Singh used to sell heroin and intoxicating tablets as well as injections knowing fully well that such type of intoxicating substance, are sufficient to cause death of a person. Rajpal Singh, who is a drug addict, many times purchased such intoxicated substances, injections from them and also get injected, when he was going on motorcycle make Hero Honda

CD Deluxe bearing No. PB-05-W-4860, fell down on earth and died near tubewell of one Swaran Singh son of Amrik Singh.

Learned counsel for the petitioner submits that the petitioner was granted concession of interim/anticipatory bail by the Court of learned Additional Sessions Judge (Fast Track Court), Ferozepur, vide order dated 15.09.2022 (Annexure P-2) and thereafter, the said benefit has been withdrawn and his anticipatory bail has been rejected by the said Court vide order dated 23.09.2022 as the petitioner could not join the investigation due to his ill health. However, the learned State counsel submits that apart from the present FIR, three more FIRs have been registered against the petitioner. The details of which are as under:-

- 1. FIR No.7 dated 22.01.2014 under Sections 15/61/85 of the NDPS Act.
- 2. FIR No.53 dated 22.04.2022 under Sections 21/22/61/85 of the NDPS Act Police Station Makhu.
- 3. FIR No.57 dated 28.04.2022 under Sections 21/61/85 of the NDPS Act, Police Station Makhu.

He further submits that in FIR No.7/2014 dated 22.01.2014, the petitioner has been convicted and sentenced to undergo imprisonment for a period of four years. The said fact was not brought to the notice of the Court of learned ASJ, Ferozepur while the interim pre arrest bail was granted vide order dated 15.09.2022 and rather a statement was made before the Court that he is not involved in any other case. Therefore, in view of the above, the petitioner is not entitled for the grant of pre-arrest bail and, consequently, the same is hereby dismissed.

04.10.2022
Neha

(NAMIT KUMAR)
JUDGE

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