

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

SR. No.202

**CRM-M-51387-2021 (O&M)
Date of Decision:14.01.2022**

GURPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. P.S. Baidwan, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. N.K. Verma, Advocate
for the applicant-complainant.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

SANT PARKASH, J.

CRM-71-2022

The present application has been filed for impleading the complainant, i.e. Gurdeep Singh as party respondent.

Learned counsel for the non-applicant/petitioner as well as State state that they have no objection if the present application is allowed.

Having heard the learned counsel for the parties and in view of the reasons mentioned in the application, the same is allowed and applicant-Gurdeep Singh is impleaded as party respondent No.2. Amended memo of parties appended with the application is taken on record.

CRM-72-2022

Applicant-complainant prays for placing on record reply as well as Annexure R/2-1.

Application is allowed, as prayed for. Reply as well as

Annexure R-2/1 are taken on record.

CRM-73-2022

Applicant-complainant seeks exemption from filing the certified copy of Annexure R/2-1.

Application is allowed, as prayed for. Exemption sought is granted.

Main case

When the matter came up for hearing on 09.12.2021, following order was passed by this Court:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.157 dated 16.11.2021, registered under Section 304 IPC at Police Station Bassi Pathana, District Fatehgarh Sahib.

The allegation against the petitioner is that the deceased Randhir Singh received a phone call from petitioner and was last seen with the petitioner. The deceased was found dead in the fields of sugarcane on account of overdose of drugs.

It is contended that the present petitioner has not been named in the FIR as the same has been lodged against some unknown persons. There is no eye witness of the alleged occurrence and only on the basis of suspicion, the petitioner has been implicated in the present case.

Notice of motion for 22.12.2021.

Mr. Tanvir Joshi, Assistant Advocate General, Punjab accepts notice on behalf of the respondent State and seeks time to file reply. Let the reply be filed by State on or before the next date of hearing.

Short reply by way of affidavit of Jangjit Singh, Deputy Superintendent of Police, Sub-Division Bassi Pathana, District Fatehgarh Sahib, has been filed and the same is taken on record.

As per the reply, it would be revealed that during the investigation, it has come on record that the petitioner himself also admitted that he was previously known to the deceased and both of them indulged in taking intoxicants. It would further be revealed that on the basis of CCTV footage, the deceased was accompanying with the petitioner at the time of his death. The petitioner injected the intoxicant injection to the deceased due to which he died.

After hearing the learned counsel for the parties and perusing the case file including the reply filed by the State, this Court is not inclined to grant the concession of anticipatory bail to the petitioner, as there are serious allegations against the applicant-petitioner.

In view of the above, the present petition is dismissed.

14.01.2022
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO