

240

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

**CRM-M-55581-2022
Date of Decision: 06.12.2022**

Gursharan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.128 dated 25.05.2022, under Section 304 IPC and later on added Section 201 IPC, registered at Police Station Shahkot, District Jalandhar Rural.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 09.06.2022, which is almost 6 months. He further submitted that it is a case where even as per the allegations contained in the FIR, the complainant had alleged that his son was a drug addict and he died due to heart attack but thereafter, he came to know that some intoxicant had been administered to his son by some unknown person. He also submitted that the entire case is based upon the circumstantial

evidence and the police has already completed the investigation and challan has also been presented before the Competent Court. He further submitted that the petitioner is not a habitual offender and is not involved in any other case, and therefore, has prayed that the petitioner may be considered for the grant of bail.

On the other hand, Mr. Kunal Vinayak, learned AAG, Punjab has stated that it is correct that the petitioner is in custody since 09.06.2022 and he is not involved in any other case.

I have heard the learned counsel for the parties.

It is a case where a perusal of the FIR would show that the complainant had alleged that his son had started taking narcotics and was in a bad company and was also getting treatment from De-addiction Centre and when his son had died earlier he thought that it was a case of heart attack but thereafter he came to know that some intoxicant was administered to his son by some unknown person. The entire case is based upon the circumstantial evidence and the petitioner is stated to be not involved in any other case. The trial of the case may take long time. Therefore, in view of the aforesaid facts and circumstances, this Court is of the view that it is a fit case to grant bail to the petitioner.

Consequently, the present petition is allowed and the petitioner is ordered to be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

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

purpose of decision of present petition.

06.12.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |