

2023:PHHC:041237

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

209

CRM-M-12782-2023
Date of Decision.:21.03.2023

**Sher Singh @ Sheri
Vs.
State of Punjab**

**.....Petitioner

.....Respondent**

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mandeep Singla, Advocate for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.138 dated 27.08.2022 registered under Section 304 of IPC,1860 (Sections 21, 29, 61 & 85 of the NDPS Act, 1985 added later on) registered at Police Station City Jalalabad, District Fazilka.

FIR was lodged on the complaint of Jarnail Singh, as per which his son Amandeep Singh was habitual of consuming heroin for the last 4 years and used to bring the heroin from petitioner and others. The said Amandeep Singh consumed the heroin on 27.08.2022 and expired.

It is contended that as per the allegation of the complainant, his son was consuming contraband for the last 4 years but during this long period no complaint was ever made against the petitioner. The said fact is conceded even by learned State counsel that no case has ever been registered against the petitioner.

Learned counsel for the petitioner has also placed on record copies of the different orders passed by this High Court revealing that

CRM-M-12782-2023

-2-

co-accused Akashdeep Singh @ Bobby, Sukhwinder Kaur @ Manni @ Manjit Kaur, Surjeeto Bai @ Surjeet Kaur, Sandeep Singh and Gurcharan Singh @ Gandhri have already been allowed bail.

As per custody certificate placed on record, petitioner is in custody for the last more than 6 months and 7 days with no criminal antecedents.

Having regard to the aforesaid facts and circumstances but without commenting anything on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

March 21, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No