

2023:PHHC:059927

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

CRM-M-19805-2023

Date of Decision: 27.04.2023.

SATNAM SINGH @ SATTI

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Kulwinder Singh, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No.229 dated 15.09.2022 under Section 304 IPC and Section 27 of the NDPS Act, registered at Police Station Sadar Mansa, District Mansa.

2. Custody certificate has been placed on record.
3. Briefly, the FIR has been registered on the basis of statement of Ajaib Singh alleging that the deceased aged about 30 years was his son. The deceased was a drug addict. On 14.09.2022, the deceased left the house and did not return back. The dead body was found in the fields at village Kot Lalu. The petitioner had given higher dose of intoxicant substance to the deceased, which resulted in his death.
4. Learned counsel for the petitioner contends the petitioner is in custody for a period of 06 months and 06 days. Though he is involved in another case under the NDPS Act but the same has been registered on the allegations that the petitioner had been consuming narcotic drugs or psychotropic substance. There is no case against the petitioner to indicate that he had been in any manner dealing or transacting in any contraband. The petitioner is on bail in the other case that has been registered against him under the NDPS Act. Furthermore, there is no medical opinion to the effect that it was not a case of unnatural death.

5. Learned State counsel has opposed the bail application on the score that the name of the petitioner has emerged in the statement of the complainant and he is involved in another case under the NDPS Act.

6. It has not been disputed by the learned State counsel that the viscera was sent to chemical examiner and no poison was detected. The cause of death in the instant case could not be ascertained and there was not any unnatural cause according to the reports. No recovery of contraband has been effected from the petitioner in the instant case. There is nothing to indicate that the family members of the deceased at any point of time had reported the matter with regard to the supply of the drugs to the deceased by the petitioner during his life time. The investigation of the case is complete and challan has been presented.

7. The petitioner is in custody for a period of 06 months and 06 days and the conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

8. Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. The petition is allowed accordingly.

27.04.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No