

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-31980-2023
Date of Decision.:21.07.2023

Krishan Singh @ BabbuPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Riffi Bala Birla, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

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 Sections 304 of the IPC (Section 21/29 of NDPS Act added later on) registered at Police Station City Jalalabad, District Fazilka.

2. It is revealed from the contents of the FIR that deceased Amandeep Singh was habitual of consuming heroin from the last about four years, as per the FIR lodged by Jarnail Singh. It was disclosed that deceased used to purchase heroin from the petitioner and co-accused. On the fateful day i.e. 27.08.2022, Amandeep Singh died after consuming intoxicant.

3. It is contended by learned counsel for the petitioner that during the last four years, no complaint was ever lodged against the petitioner. No recovery was effected from him. It is further pointed out that co-accused Sher Singh @ Sheri, Sona Singh, Surjeeto Bai @ Surjeet Kaur, Sukhwinder Kaur @ Mahni @ Manjit Kaur, Gurcharan Singh @ Gandri, Sandeep Singh

son of Gurmeet and Sandeep son of Darshan Singh have already been allowed regular bail by this Court by various orders placed on record as Annexure P-3 to Annexure P-9. The role of the petitioner is similar to the co-accused who have already been allowed bail. Petitioner prays for grant of bail on the basis of parity also.

4. Status report by way of an affidavit of Shri Atul Soni, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad has been filed on behalf of respondent- State.

5. Although custody certificate has not been placed on record by learned State counsel but he submits that petitioner is in custody since 28.04.2023.

6. Having regard the aforesaid facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and 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.

July 21, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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