

245

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-53331-2023  
Date of decision: 07.11.2023

MANDEEP SINGH @ MANAV

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Amaninder Singh Sekhon, Advocate  
for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

\*\*\*\*

**JASGURPREET SINGH PURI, J. (Oral)**

1. 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.38 dated 10.05.2022, under Sections 302 and 120-B of the IPC (Section 3(2)(v) of SC and ST (Prevention of Atrocities) Act, 1989 added later on), registered at Police Station Lakhewali, District Sri Muktsar Sahib, Punjab.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for about 1 year, 1 month and 4 days. He further submitted that there is no direct role attributed to the petitioner and in fact it is a case where the FIR was lodged by one Sukhjinder Singh who alleged that his son has got some relation with a girl, namely, Peenu Kaur and as per the allegations, the present petitioner is a relative of the aforesaid Peenu Kaur and the son of the

complainant was found dead allegedly due to administering of some poisonous substance but as per the viscera report, *Morphine* was found from where it can be seen that the deceased was a drug addict and he was under the influence of drug and it was a case of drug over dose. He also submitted that the petitioner was only a relative of the aforesaid co-accused, namely, Peenu Kaur and the petitioner has already faced incarceration for about 1 year, 1 month and 4 days. He further submitted that the investigation of the case has already been completed and charges have also been framed. He further submitted that although the petitioner is involved in one more case under the NDPS Act but that itself cannot become a ground for denial of regular bail to the petitioner in view of the facts and circumstances of the present case. He has pointed out that the similarly situated co-accused, namely, Harjeet Kaur against whom also the role attributed was the same as per the prosecution, has already been extended the benefit of regular bail by this Court on 21.09.2023 vide Annexure P-6 and the petitioner is exactly at parity with the aforesaid co-accused and therefore, may be considered for grant of regular bail.

4. On the other hand, Mr. Harsimar Singh Sitta, DAG, Punjab submitted that it is correct that the petitioner is in custody for about 1 year, 1 month and 4 days and the petitioner is at parity with the aforesaid co-accused, namely, Harjeet Kaur, who has already been extended the benefit of regular bail by this Court as aforesaid.

5. I have heard the learned counsels for the parties.

6. It is a case where the petitioner is in custody for about 1 year, 1 month and 4 days and the charges in the present case have already been framed.

The aforesaid co-accused, namely, Harjeet Kaur has already been extended the benefit of regular bail by this Court vide Annexure P-6 and it appears that the petitioner is exactly at parity with the aforesaid co-accused.

7. Therefore, considering the aforesaid totality and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner.

8. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

07.11.2023  
Chetan Thakur

(JASGURPREET SINGH PURI)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No