

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

CRM-M-55114-2022

Date of Decision: February 02, 2023

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kamal Narula, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition under Section 439 Cr.P.C., petitioner is praying for regular bail in case FIR No.138, dated 27.08.2022, registered at Police Station Jalalabad, District Fazilka, under Sections 304 IPC (Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 added later on).

It is revealed from the contents of the FIR that deceased Amandeep Singh was habitual of consuming heroin for the last about four years, as per the FIR lodged by Jarnail Singh. It was disclosed by the complainant 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.

It is contended by counsel for the petitioner that during the last four years, no complaint was ever lodged against the petitioner. No recovery was effected from him. Petitioner is just 23 years of age having no criminal antecedent and so, he may be granted concession of regular bail.

As per custody certificate placed on record, petitioner is in custody in this case for the last 5 months and 6 days. Trial is yet to begin as even the challan has not been presented so far. Further investigation and trial may take time to conclude

Having regard to the aforesaid factual position, but without commenting anything further on the merits of the case, the petitioner is admitted to regular bail and he is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate concerned.

Disposed of.

February 02, 2023

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No