

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(291)

CRM-M-1487-2024
Date of decision : 02.04.2024

Kulbir Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.
Mr. Baljinder Singh, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.126 dated 16.07.2020(Annexure P-1) registered under Sections 304, 201 and 34 IPC at Police Station Khilchian, District Amritsar

As per the allegations made in the FIR deceased-Ravi Sher Singh was a drug addict and he died on 27.06.2020 and his dead body was recovered from the road side alongwith the *Splendor Motor Cycle bearing No.PB-02 DC 0756*. There are also allegation that on that day, deceased had gone to house of Ranjit Kaur alias Raj, where he died due to over dose of drugs and in order to save their skin, the accused persons including the petitioner removed the dead body of Ravi Sher Singh from there and threw it on the road side alongwith his splendor motor cycle in order to give it the colour of motor vehicular accident.

On the last date of hearing, a detailed order was passed by this Court whereby the petitioner was granted interim bail with a direction to join the investigation with the police.

Today, counsel appearing on behalf of the petitioner has apprised the Court that by virtue of the aforesaid order of interim bail, the petitioner has joined the investigation with the police. Counsel for the petitioner further

submits that as per the post mortem report, certain injuries were found on the dead body of the decased and the concerned doctor gave opinion that cause of death of the decased was due to spleen rupture leading to hemorrhage and shock. It is further submitted that no poison was detected as per the report submitted by the Chemical Examiner and this fact falsify prosecution story to the effect that the deceased-Ravi Sher Singh died due to over dose of drugs.

State counsel on instructions from ASI Swaran Singh has not refuted the aforesaid assertions made by the counsel for the petitioner with regard to factual matrix of the case and further submits that the petitioner fully cooperated with the police and he is not required by the police for any further investigation or custodial interrogation.

It is moot point as to whether deceased Ravi Sher Singh died due to over dose of drugs administered by the accused persons including the petitioner or the deceased died on account of injuries sustained by him in a motor vehicular accident

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 15.01.2024 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

02.04.2024

Anjal*

(KARAMJIT SINGH)
JUDGE

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