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

**CRM-M-22929-2023 (O&M)**

**Date of decision : 26.02.2024**

Gurpreet Singh @ Preet

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Raj Kumar Gupta, Advocate,  
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.194 dated 30.12.2022, under Section 304 of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station, Police Commissionerate, Ludhiana, District Ludhiana.

2. Allegations are that the petitioner administered overdose of Heroin to deceased-Gursimranjit Singh, resulting into his death.

3. This Court granted interim bail to the petitioner on 19.09.2023, in the following manner:-

*“Learned counsel for the petitioner submits that the petitioner is in custody since 02.01.2023 and all the co-accused have been granted concession on bail by learned trial court. Also submits that charges are yet to be framed.*

*Learned State counsel seeks time to have instructions in the matter.*

*Posted for 30.10.2023.*

*In the meanwhile, petitioner is ordered to be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty/Magistrate concerned.”*

4. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 19.09.2023 and he is regularly appearing before learned trial Court. There is no apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

5. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute; thus, sending him in custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 19.09.2023, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

26.02.2024  
*atulsethi*

(MAHABIR SINGH SINDHU)  
JUDGE

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