



CRM-M-30533-2024

-1-

215

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

CRM-M-30533-2024

Date of Decision:- 14.10.2024

Parkash Chand alias Kaku

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Surbhi Yadav, Advocate for
Mr. G.S.Sandhu, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner – Parkash Chand alias Kaku has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.0210 dated 11.08.2022 (Annexure P-1), under Sections 302, 341, 506, 323, 34 of IPC 1860 (Section 411 of IPC and Sections 27/61/85 of NDPS Act, 1985 were added later on), registered at Police Station City Malout, District Sri Muktsar Sahib.

2. As per the facts of the case, present FIR has been registered on the basis of secret information that Deepak son of Ratti Ram was habitual to drugs. He left consuming drugs about six months ago and for this reason, the persons who used to sell drugs to Deepak were unhappy. Due to this grudge, Happy, Kaku alias Balwant Singh, Jagdeep Kumar alias Kukki Baba, Harman Singh, Jai Chand alias Lovely and other unknown persons stopped Deepak near Burja crossing Malout and gave beating to him and forcibly injected drugs, on 08.08.2022. As a result, he died on the intervening night of 8/9.08.2022. Aforesaid persons also threatened the

**CRM-M-30533-2024****-2-**

family of Deepak and for this reason body of Deepak was cremated hurriedly.

3. Learned counsel for petitioner argued that petitioner is falsely implicated in this case. No such occurrence took place. Petitioner had no concern with the deceased or his family. He has already joined the investigation. His regular bail application was wrongly declined by learned Additional Sessions Judge, Sri Muktsar Sahib vide order dated 01.05.2024. He was arrested in this case on 11.08.2022 and till date he is behind the bars. He is ready to abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report is already filed. It is pointed out that petitioner is involved in another FIR No.55 dated 26.03.2021, under Sections 379, 411 of IPC, registered at Police Station City Malout. There are specific serious allegations. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. As per the status report, challan in this case has been presented on 14.10.2022. Chargesheet was framed on 16.01.2023 and the case is fixed for prosecution evidence. Till date no witness has been examined. Learned counsel for petitioner has placed on record copy of order dated 08.08.2023 passed in CRM-M-8476-2023 (Annexure P-3) vide which Jagdeep Kumar @ Kuki Baba was granted regular bail. Similarly, Jai Chand @ Lovely in CRM-M-45212-2023 and Harman Singh in CRM-M-62998-2023 were also granted regular bail vide order dated 25.01.2024 which is Annexure P-4. Present petitioner is in custody since 11.08.2022. Trial of this case may take some time.

CRM-M-30533-2024

-3-

6. Considering the aforesaid factual position, without expressing my mind on the merits of case, regular bail petition filed by petitioner – Parkash Chand @ Kaku is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

14.10.2024

Sunil Devi

(AMARJOT BHATTI)

JUDGE

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