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

CRM-M-31508-2024

Date of Decision:- 05.12.2024

Gabbar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

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

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Gabbar has filed petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 117 dated 11.03.2024, registered under Section 304/34 of IPC at Police Station City Ferozepur, District Ferozepur.

2. As per facts of case, Bagh Singh-complainant gave a statement that his son Gora aged about 19 years was unmarried. He was habitual of taking intoxicants and was also admitted in de-addiction Centre. On 10.03.2024 at about 10.00 a.m., Gabbar took Gora- son of the complainant on his Scooty to some unknown place. At about 9.15 p.m., his son Gora was brought back by Gabbar and Chand and he seemed to be under the influence of intoxicant. He was told that his condition was not good. They took away his son to admit him. He and his wife followed them on their

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Scooty but could not locate them. At about 12.00 o'clock mid night, Gabbar and Chand brought his son and it appeared that he had consumed some intoxicant and there was smell of alcohol from the clothes worn by his son. They were told that after some time, he will be all right. They kept on making him drink some water. At about 03.00 a.m., his son expired. With these allegations, present FIR has been registered under Section 304 IPC.

3. Learned counsel for petitioner argued that he was arrested on 24.03.2024. He has already joined investigation. Allegations against them are without any basis. Co-accused Arun has been granted anticipatory bail vide order dated 04.11.2024 passed in CRM-M-35394-2024. He is ready to abide by terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed. Allegations detailed in FIR are confirmed. Challan has been presented on 30.05.2024 and charges are yet to be framed.

5. I have considered the arguments and have gone through the record. Present petitioner has already joined investigation. He is not required for any other purpose. Challan is presented but trial is yet to start. Till date, even charge-sheet has not been framed. Considering the facts of case, regular bail petition filed by petitioner 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.

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6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

05.12.2024
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(AMARJOT BHATTI)
JUDGE

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