



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

CRM-M-36668-2024

Date of Decision: 15.10.2024

Jaswinder Singh alias Goli

...Petitioner

vs.

State of Punjab

...Respondent

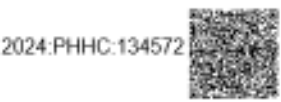
Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Munish Raj Chaudhary, Advocate, for the petitioner.
 Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.0217 dated 10.05.2024 registered under Section 304 of IPC (Section 21 of NDPS and Section 105 of BNS added later on), at Police Station City Barnala, District Barnala.

2. Learned counsel for the petitioner contends that even from the allegations levelled by the complainant in the present FIR, no offence under Section 304 of IPC is made out against the present petitioner. He further contends that in fact Nishan Singh, since deceased had died due to overdose of the drugs and the petitioner has been falsely involved only on the basis of suspicion. Apart from that, Nishan Singh had left home on 08.05.2024 and after 2 days, the petitioner was falsely involved in the present case, without any justification. Still further, Shindo Kaur and Manohar Singh alias Mohna, co-accused of the petitioner have already been granted the concession of regular bail by the Court of Additional Sessions Judge, Barnala, vide order dated



03.07.2024 (Annexure P-2). The petitioner was arrested in the present case on 11.05.2024 and the investigation has been completed against him. Even no witness has been examined so far and further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Barnala has been filed on behalf of the respondent-State in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 11.05.2024 and after completion of investigation, the final report under Section 173 Cr.P.C. has been presented before the Court. Apart from that, other co-accused, namely Shindo Kaur and Manohar Singh alias Mohna have already been admitted to bail by the Court of Additional Sessions Judge, Barnala.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

15.10.2024.
hemlata

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