

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

**CRM-M-45821-2023 (O&M)**

**Date of Decision: 13.2.2024**

Pawan Kumar @ Langu

**....Petitioner**

**VERSUS**

State of Punjab

**....Respondent**

**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Narender Singh Kamboj, Advocate  
for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab

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**KARAMJIT SINGH, J.**

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.81 dated 13.5.2023 registered for the offences punishable under Sections 304 IPC at Police Station City Kotkapura, District Faridkot.

2. As per prosecution version, FIR in this case was registered on the basis of statement of Amandeep Kaur wife of Gagandeep Singh wherein she has alleged that on 12.5.2023 at about 7:00 p.m. when she and her husband reached near Jalaleana Road, Gali No.1, Kotakpura, her husband told her to go to the house as he was to go to the house of the petitioner to procure drugs from him. She tried to stop her husband but he did not listen to her. Thereafter, she reached her house and after sometime, her husband Gagandeep Singh also came there along with syringe and some drugs and he entered the washroom and thereafter, she heard his screams. It was found that Gagandeep Singh had injected certain drugs in his left hand and he was

taken out of the washroom. At that time, Gagandeep Singh disclosed to the complainant that he took syringe from Dr. Harpreet Singh and drugs worth ₹ 1,000/- from the petitioner and his wife Pooja Rani. Immediately Gagandeep Singh was taken to Civil Hospital, Kotkapura where concerned doctor declared him dead. During investigation, the petitioner was arrested.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and the petitioner is in custody for the last more than 9 months. It is further submitted that apparently, no case under Section 304 IPC is made out against the petitioner. It is further submitted that co-accused/Pooja Rani and Harpreet Singh are already given concession of regular bail by this Court vide orders Annexures P-3 and P-4. It is further submitted that no purpose is going to be served by detaining the petitioner for any longer period. So, prayer is made that the present petition be allowed.

4. On the other hand, the present petition is resisted by the State counsel who submits that the petitioner supplied drugs which resulted in death of Gagandeep Singh. However, State counsel has not disputed the fact that co-accused/Pooja Rani and Harpreet Singh are given concession of regular bail vide orders Annexures P-3 and P-4 passed by this Court.

5. I have considered the submissions made by the counsel for the parties.

6. It appears that Gagandeep Singh died due to overdose of drugs. However, apparently, there are no allegations that the said drugs were forcibly administered to him by the petitioner. As per custody certificate furnished by the State counsel, the petitioner is in custody for the last more than 9 months and is not involved in any other case under NDPS Act. Co-

accused/Pooja Rani and Harpreet Singh are enlarged on bail vide orders Annexures P-3 and P-4. It will take considerable time for the trial to conclude. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned. Pending application(s), if any, stand disposed of.

( KARAMJIT SINGH )  
JUDGE

**February 13, 2024**  
Paritosh Kumar

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |