



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

CRM-M-51375-2024
Date of decision: 19.11.2024

Gurpreet Singh alias GopiPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This second petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.135 dated 18.11.2023 (Annexure P-1) under Sections 304/34 of IPC
registered at Police Station Koom Kalan, District Ludhiana. First application
was dismissed vide order dated 18.12.2023 passed by this Court (Annexure P-
3).

The FIR (*supra*) was registered on the statement of the
complainant by alleging that on 17.11.2023, when he was present at home,
around 05:00-06:00 P.M., he saw that his two sons left the house and he
suspected that they had brought drugs like earlier and even today, they have
gone to buy drugs. When he followed them towards village Gahi Bhaini and
village Ratnagarh Road, he saw that on the left side of the road at some quiet
place, 8-9 boys were holding his sons, out of which 05 boys had forcibly
thrown his son, namely Gurmail Singh, on the ground and 04 boys were holding
his another son, namely, Ganga Singh. When the complainant raised voice, all



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of them ran away from the spot. It is further alleged that the complainant took out the syringe from the right arm of his son, Gurmail Singh and then both of his sons told him that they both often come here to buy drugs from these persons and consume them. On that day also, they went to them where the present petitioner along with co-accused and four other unknown persons were already present there. Then Balwinder Kaur wife of Joginder Singh alias Dodi and an unknown woman gave them drugs and all these persons asked them to do drugs but Gurmail Singh told them and he did not want to do drugs any more as he wanted to quit the same and therefore, all these persons started forcing them and the present petitioner along with co-accused persons caught his son, Ganga Singh and others put down his son, Gurmail Singh and Joginder Singh alias Dodi put a drug syringe in his right arm. Thereafter, at around 08:30, the health of his son, Gurmail Singh suddenly deteriorated and his nose started bleeding and on the way to hospital, he died and thus, the instant FIR got registered.

Learned counsel for the petitioner *inter alia* contends that the allegation against the petitioner is that he caught hold of the deceased along with one Seelu and two unknown persons and the chemical examiner report with regard to 04 articles, namely, sample of preservative, stomach and part of small intestine with its contents, parts of liver, spleen and half of each kidneys and blood sample without preservative was prepared on 08.02.2024 and as per this report, no poison was found. He further submits that the co-accused namely, Balwinder Kaur, from whom drug was purchased and Joginder Singh @ Dodi, who put a drug syringe in the right arm of the deceased, Gurmail Singh, have already been granted the concession of bail by this Court.

The learned State counsel has filed the affidavit of Sh. Kuldeep Singh Chahal, IPS, Commissioner of Police, Ludhiana, on behalf of the respondent-State in the Court today and the same is taken on record. Registry is directed to tag the same at an appropriate place in the file. He further submits that there are specific allegations against the petitioner which are grave and serious in nature and there is no substantial change of circumstances after the dismissal of earlier bail application and as such, the petitioner does not entitle to any relief.

Having heard learned counsel for the parties and on perusal of the record, this Court finds no force in the arguments advance by learned counsel for the petitioner and keeping in view the seriousness of the allegations and heinousness of the crime, the present petition stands dismissed being devoid of any merit.

(HARPREET SINGH BRAR)
JUDGE

19.11.2024
Neha

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