

2025:PHHC:012262



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

235

CRM-M-3691-2025 (O&M)
Date of decision: 28.01.2025

Gurpreet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kulwinder Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of regular bail to the petitioner in FIR No. 156 dated 19.12.2024, registered under Section 105 of Bharatiya Nyaya Sanhita, 2023 at Police Station City-1 Mansa, District Mansa.
2. Brief facts of the case relevant for the disposal of the present petition are that the aforementioned FIR had been registered on 19.12.2024 on the basis of the statement got recorded by complainant Gurnaib Singh @ Ghetta alleging therein that on 18.12.2024, at about 10:30 AM, one Jaspreet Singh Jassi made a telephonic call to his son Gurjit Singh asking him to send his brother Gurmit Singh (another son of the complainant) to him as they had to go for some work. Thereafter, Gurmit Singh went with Jaspreet Singh but did not return home. The complainant made searches for him but could not trace

2025:PHHC:012262



him. On 19.12.2024, the complainant came to know that his son Gurmit Singh was lying unconscious near a tower. He was rushed to the hospital, whereby he was declared to be brought dead. While alleging that the death of his son had occurred due to giving *Chitta* (heroin) by Jaspreet Singh and there might be some more persons with him, the complainant prayed for taking legal action against him. Thereafter, on 23.12.2024, Gurpreet Singh, son of the complainant, made a supplementary statement to the police naming one Mewa Singh @ Meva Singh, petitioner Gurpreet Singh @ Peeti, Mandeep Singh @ Deep Singh @ Deepu, Lakhwinder Singh @ Arshu, Jaspal Singh @ Gaggi, Kali, Gurpreet Singh @ Teeti, Gurbhej Singh @ Bheja and Satnam Singh @ Kaka Bhau as the persons who were involved in giving heroin to his deceased brother Gurmit Singh. On the basis of the same, the petitioner and other co-accused have been nominated in this case. The petitioner was arrested on 23.12.2024. He had moved an application for grant of regular bail before the Court of learned Sessions Judge, Mansa but the same had been dismissed, vide order dated 17.01.2025.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. Initially, the petitioner was not named in the FIR and it was only when the brother of the victim made a supplementary statement on 23.12.2024 the petitioner had been nominated in this case along with other co-accused. The victim himself was a drug addict and he might have died due to overdose of the drugs. The petitioner is not involved in any other case under the NDPS Act, which strengthens the fact that he is not involved in selling/supplying any kind of contraband. There is nothing on record to connect the petitioner with the subject offence. He has

2025:PHHC:012262



been involved in this case only on hearsay. He is in custody since 24.12.2024. Similarly situated co-accused Mewa Singh @ Meva Singh @ Mewi Singh has already been granted concession of anticipatory bail by this Court, vide order dated 17.01.2025 passed in CRM-M-489-2025. On the grounds of parity, the petitioner too deserves to be released on bail. No useful purpose would be served by detaining him into custody. Therefore, it is urged that the petition deserves to be allowed.

4. Custody certificate of the petitioner has been filed by the respondent-State. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner. He along with other co-accused had supplied heroin to the victim, on consuming which, he had died. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. As per the allegations, on 18.12.2024, the victim, who was son of the complainant, had gone out of his house with co-accused Jaspreet Singh Jassi but did not return home. On the next day, his dead body was found lying near a tower. Initially, the petitioner was not named in the FIR but after a gap of four days, supplementary statement of the son of the complainant was recorded, wherein the petitioner along with certain other persons were named as the persons, who used to supply heroin to the victim. Except the aforesaid supplementary statement, which was in fact made after the delay of four days from the incident, there is nothing on record to connect the petitioner with the subject crime, at this stage. A perusal of the custody certificate shows that the petitioner is not involved in any other criminal case. He is in custody since

2025:PHHC:012262



24.12.2024. As mentioned above, similarly situated co-accused has been granted concession of anticipatory bail by this Court. Keeping in view the aforesaid facts and circumstances and also the nature of evidence coming forth against the petitioner, I am of the considered opinion that no useful purpose would be served by keeping the petitioner into custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

28.01.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No