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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.10663 of 2025
Date of decision: 25.02.2025

Jaspreet Singh @ Jassi ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Rubal Panwar, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
156	19.12.2024	City 1 Mansa, District Mansa	105 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

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, the present petitioner Jaspreet Singh @ Jassi made a

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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 the petitioner but did not return home. The complainant made searches for him but could not trace 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 the present petitioner 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, 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 abovesaid co-accused have been nominated in this case. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Sessions Judge, Mansa vide order dated 02.01.2025.

3. It is argued by learned counsel for the petitioner that he has

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been falsely implicated in this case. Infact, on 17.12.2024, he had gone to Amritsar by train and had stayed at Guest House at Amritsar on 18.12.2024. He had checked out from that Guest House on the evening of 18.12.2024 and, therefore, there was no question of petitioner's calling the victim and taking him (victim) along with himself on 18.12.2024. The victim was drug addict and has died due to overdose of the same. The co-accused Mewa Singh, Gurpreet Singh and Mandeep Singh have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Mr. Rubal Panwar, AAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by him that there are serious allegations against the petitioner. He was named in the FIR. The victim had gone with him on 18.12.2024. His dead body was found on the next day. The petitioner used to supply heroin to the victim. His custodial interrogation is required for conducting thorough investigation in the matter by the police. No extraordinary or sparing circumstance for grant of anticipatory bail has been made out. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable

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length and have gone through the record.

7. The petitioner is alleged to have made a call to the victim as on 18.12.2024 and then the victim is claimed to have left his house. His dead body was found on the outskirts of a village on 19.12.2024. He has died due to overdose of drugs. The petitioner is taking plea of alibi which cannot be taken into consideration at this stage. The custodial interrogation of the petitioner is required for conducting thorough investigation in the matter. Even otherwise, no exceptional or extraordinary circumstance has been made out to extend benefit of pre arrest bail to him. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

25.02.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No