



CRM-M-11900-2025

1

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

218

CRM-M-11900-2025 (O&M)

Date of Decision: 07.03.2025

Gurdeep Singh @ Jeetu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Angel Walia, Advocate for the petitioner.

Ms. Avneet, AAG, Punjab assisted by
ASI Joga Singh.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed, under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of bail pending trial to the petitioner in FIR No.137 dated 11.05.2022, registered under Section 304 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') [Section 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and 109 IPC added later on], at Police Station Cantonment, District Amritsar.

2. Allegations are that petitioner along with co-accused administered excess intoxicant substance to complainant's son Shamsheer Singh @ Shera due to which he died.

3. Contends that petitioner was not named in the FIR; rather nominated on the disclosure of co-accused-Mukhtiar Singh @ Manga and he is in custody since 28.06.2022; final report under Section 173 Cr.P.C has already been presented on 09.08.2022; charges were framed on 05.01.2024;

co-accused namely Gurjit Singh @ Geeta with similar allegations has

**CRM-M-11900-2025****2**

already been granted pre-arrest bail by Co-ordinate Bench on 17.12.2024 (P-5) in CRM-M-52722-2024. Also contends that out of total 17 prosecution witnesses, none has been examined so far; thus, conclusion of trial will take sufficient long time.

4. *Per contra*, learned State counsel vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of bail pending trial.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 28.06.2022; final report under Section 173 Cr.P.C has already been presented on 09.08.2022; charges were framed by learned trial Court on 05.01.2024; co-accused namely Gurjit Singh @ Geeta with similar allegations has already been granted pre-arrest bail by Co-ordinate Bench on 17.12.2024. Also transpires that out of total 17 prosecution witnesses, none has been examined so far. As the conclusion of trial may take sufficient long time; therefore, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case, in any manner.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.

CRM-M-11900-2025

3

Pending application(s), if any, shall also stand disposed off.

07.03.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)

JUDGE

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