



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

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CRM-M No.12443 of 2025 (O&M)

Date of decision: 08.05.2025

Varinder Kumar @ Dudda

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR. JUSTICE H.S. GREWAL

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

Mr. Kamalpreet Bawa, DAG, Punjab.

H.S. Grewal, J. (Oral)

This is a petition for regular bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in case bearing FIR No.45 dated 06.06.2023 under Sections 304, 34 of IPC, 1860 registered at Police Station Daresi, District Ludhiana.

2. The case of the prosecution is that the deceased namely Sunil Kumar had left his house in the company of the present petitioner alongwith the co-accused. Thereafter, on 05.06.2023 at 5 a.m., he was found unconscious in a salon at Sabji Mandi Grewal Market. Subsequently, he was taken to the Civil Hospital, Ludhiana where the doctors declared him dead. The deceased is stated to have died due to over dose of an intoxicant substance. However, there is no direct evidence against the present petitioner and no recovery has been effected from him. The only allegation qua the petitioner is that the deceased had left his house in the company of the petitioner.

3. Learned counsel for the petitioner contends the petitioner is behind the bar since 06.06.2023 and has undergone approximately 01 year, 10 months and



29 days of incarceration. He further contends that out of 13 prosecution witnesses cited by the prosecution, only 01 has been examined so far.

4. Learned counsel for the State vehemently opposes the grant of concession of regular bail by way of filing custody certificate dated 07.05.2025. However, he does not refute the fact that out of 13 prosecution witnesses, only 01 has been examined so far.

5. I have heard learned counsel for the parties and have gone through the material placed on record.

6. Keeping in view the facts and circumstances of the present case, and the fact that the petitioner is in custody for a period of 01 year, 10 months and 29 days and only 01 out of total 13 prosecution witnesses have been examined so far and since, the conclusion of the trial is likely to take a long time and continuous detention of the petitioner pending trial, would not serve the ends of justice, I deem it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is granted concession of regular bail in the present case, on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/ Chief Judicial Magistrate concerned. The pending application(s), if any, are also disposed of.

8. It is however, made clear that in case during his bail, the petitioner indulges in any offence, the State shall be at liberty to file an application for cancellation of bail of the petitioner.

08th May, 2025

Sonia Puri

**(H.S. GREWAL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No