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

CRM-M-19230-2025

Date of decision : 30.07.2025

Love @ Lovepreet Singh

....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Kuldeep Attri, Advocate
for the petitioner.

Ms. Simran Gorla, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.147 dated 19.07.2024, under Section 105 of BNS, registered at Police Station Dasuya, District Hoshiarpur.
2. Succinctly the facts of the case are that the present case was registered on the statement complainant, namely, Nirmal Singh. It was alleged that his nephew Lakhwinder Singh used to do agriculture work and he used to live near his sister Amarjit Kaur at village Badi Miani. On 18.07.2024, he went to that village and came to know that Lovepreet Singh (petitioner) a friend of his nephew had taken him on his motorcycle and at that time lovepreet Singh was in inebriated condition. At about 4:00 p.m., he received a call from some unknown person that Lakhwinder Singh and Lovepreet Singh were present near Tucker Sahib Gurudwara. Then they reached at the place disclosed. He found his nephew unconscious. Lovepreet Singh leaving his motorcycle, escaped from the spot. Thereafter, his nephew Lakhwinder Singh died in front of them. The request was made to take the legal action against the culprit. On



registration of FIR, investigation commenced. Postmortem of the dead body was conducted. The petitioner was arrested on 30.09.2024. He approached the Learned Additional Sessions Judge, Hoshiarpur, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Hoshiarpur vide order dated 24.03.2025. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that allegations against the petitioner are to the effect that he had taken him from his house and thereafter he died. He submits that as per the postmortem report, the cause of death is the overdose of Morphine. He submits that the allegations against the petitioner are false and frivolous and he has no criminal antecedents. It is submitted that investigation is complete and charges are framed. However, no witness has been examined till date. He submits that the complainant in the present case has already died and the witnesses are intentionally not appearing before the trial Court. He thus, submits that in the facts and circumstances of the case, he deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner and submits that the complicity of the petitioner is writ large. It is the petitioner, who had taken the deceased along with him from his home and thereafter, the intoxicant substance was administered to the deceased. She submits that as per the postmortem conducted, the presence of morphine in the body of the petitioner was established. She submits that out of total 08 prosecution



witnesses, none has been examined so far.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 30.09.2024. The allegation against the petitioner was that he was with the deceased at the time of his death. As submitted before this Court, the petitioner has no criminal antecedents. Out of total 08 prosecution witnesses, none has been examined so far. It is also brought to the notice of this Court that the complainant has already died in the present case.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

30.07.2025

ps-I

(RAJESH BHARDWAJ)

JUDGE

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