



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

212

CRM-M-22085-2025

Date of decision: May 2nd, 2025

Gurjant Singh @ Chitta

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Davinder Singh, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.53 dated 25.08.2024 under Section 123, 105 of the BNS, 2023 registered at Police Station Morinda, District Rupnagar.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 25.08.2024 in an apparent case of false implication. Neither is there any evidence of last seen nor is there corroborative evidence collected by the investigating agency to link the petitioner with the death of deceased, who as per the doctor, died on account of infective endocarditis sepsis with septic shock severe MR A/H/O Opioid abuse. It has been submitted that the only incriminating evidence, if any, collected by the investigating agency is a bald and vague statement made by the mother of the deceased while lodging the FIR in question (Annexure P-1) that the deceased had told her that the petitioner had forcibly injected some intoxicant substance into him on

the previous night of his death. It has been submitted that the petitioner has clean antecedents, which further lends credence to he not being involved in any manner in the alleged occurrence. Learned counsel for the petitioner has further submitted that even no post-mortem was conducted upon the dead body of the deceased, which further creates a serious dent in the case of the prosecution.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed the cause of death, which has been detailed in the death summary of the deceased. It has further been submitted, on instructions, that out of the 20 prosecution witnesses cited, nine still remain to be examined and the next date before the trial Court is 27.05.2025. It has also not been disputed, on instructions, that no post-mortem was conducted upon the deceased following his death. However, learned State counsel has reiterated the allegations levelled in the FIR, which stands reproduced hereinunder:

“Statement of Rukmani wife of Nikka Singh resident of village Chatamla, P.S. Sadar Morinda, District Rupnagar aged about 49 years, Mobile no.7986191048. Stated that I am resident of above said address and doing house hold chores. I have two sons i.e. elder son is Sahil aged about 27 years and younger son is Abhishek Manu aged about 24 years. That my both sons are unmarried. My younger son Abhishek doing the labour. work. Gurjant Singh Chitta son of Malkit Singh resident of village Chatamla, resident of our village is habitual of doing illegal acts. He made relations with my son Abhishek for the last 5/6 months and he has also indulged my son Abhishek in illegal acts. I many times told to Gurjant Singh not to make relations with my

children, but he did not listen to me. He used to call my son by making phone calls to him. On 19.8.2024 at about 10.00 AM. Gurjant Singh came to our house and he took my son Abhishek with him. On that day, Abhishek came back home at about 7:00 PM and his condition was very bad. He fell down on the cot. He became unconscious condition. On the next day, in the morning when Abhishek got consciousness, I asked from Abhishek, what was happened with him on the previous day. He told that, yestersay 1 went with Gurjant Singh, who injected me Intoxicated/poisonous injection and thereafter, my body started trembling. Even at this time my body had severe. pain. On 23.08.2024, the condition of my son Abhishek deteriorated due to which we took him to Phase-VI Hospital Mohali, for treatment. Since, the condition of my son Abhishek was becoming serious, so, the doctor referred him to P.G.I. Chandigarh, where I noticed that my son was not being properly looked after, So I took him to INDUS International Hospital, Dera Bassi, where treatment of my son is going on. The condition of my son became serious due to injecting of intoxicated/poisonous injection to him by Gurjant Singh. Legal action be take action against him."

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 25.08.2024. Admittedly, the deceased was administered an overdose of intoxicant by way of an injection by the petitioner. Other than the death summary, which has been placed on record by the learned State counsel today, no other medical evidence much less by way of a post-mortem report to corroborate the allegations of forcible administration of intoxicant has been placed before this Court today.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the

satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 2nd, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No