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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27814-2024 (O&M)
Date of Decision:- 14.05.2025

GURPREET SINGH @ GOPI

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. G.S. Nahel, Advocate for the petitioner.
Mr. Roshandeep Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
73	11.03.2023	304 and 34 IPC (201 IPC added later on) [302 IPC r/w 34 IPC added while framing of charges]	Division B, District Police Commissionerate Amritsar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is not having any criminal antecedents and has been falsely implicated in this case. He contends that the petitioner happens to be an innocent Taxi Driver, having no concern whatsoever with the demise of



Sunny. He submits that the petitioner had bonafidely carried the dead body of the deceased to Civil Hospital, Sangrur, on the asking of co-accused Manpreet Singh, who had engaged his taxi. He submits that the petitioner is in custody since 17.03.2023, and after the completion of investigation challan has been presented in Court. He further submits that the petitioner, having no concern with the allegations levelled in the FIR, is facing unwarranted incarceration, thus, prays for grant of concession of bail to the petitioner.

3. On the other hand, learned State counsel has opposed the petition while relying upon the reply filed by the State by submitting that the petitioner had participated in the crime by carrying the dead body from Amritsar to Sangrur along with other accused, as such, he does not deserve the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution, the deceased Sunny had accompanied co-accused Manpreet Singh @ Mani and Ratan @ Channi to Amritsar, but on account of overdose of drugs, he died. Co-accused Manpreet Singh, engaged a taxi, driven by the petitioner, for carrying his body from Amritsar to Civil Hospital Sangrur. After the case being registered, the petitioner was arrested on 17.03.2023. It is evident from the reply filed by the State that even the complainant had raised suspicion regarding the involvement of co-accused Manpreet Singh @ Mani and Ratan @ Channi in the demise of deceased by administration of some poisonous



substance during their stay at Amritsar. No specific allegation has been levelled against the petitioner nor is he having any relation with the co-accused or the deceased. His role, at the most, is that of carrying the dead body while plying the taxi being engaged by co-accused Manpreet Singh. The petitioner is not having any criminal antecedents and the conclusion of trial to ascertain the criminal liability, if any, of the petitioner will take sufficient long time, as only 02 witnesses out of 22 witnesses cited by the prosecution have been examined till date. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

14.05.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No