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

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Decided on :01.09.2025

Manoj Kumar @ Manoj Doctor

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Maneesh Bali, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 54 dated 18.04.2025(P-1), under Section 105 of BNS and 27 of NDPS Act, registered at Police Station Sadar Rupnagar, District Rupnagar.

2. The case of the prosecution is that on 16.04.2025, deceased Lakhanpreet Singh @ Lucky and his co-accused Baljinder Singh had gone to Rupnagar to attend a court hearing in a pending case. Lakhanpreet Singh @ Lucky did not return home thereafter. Upon inquiry, Baljinder Singh stated that, at the request of Lakhanpreet Singh @ Lucky, he dropped him at Sukhmani Clinic, operated by Dr. Manoj (the petitioner herein), near Dana Mandi Ghanauli. Complainant,

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Sandeep Singh, also recorded in the FIR that, according to Baljinder Singh, while leaving the clinic, Lakhanpreet Singh @ Lucky was holding a syringe filled with some intoxicating medicine. Baljinder Singh further stated that he dropped Lakhanpreet Singh @ Lucky at Bus Stand Ghanauli. On 17.04.2025, information was received that Lakhanpreet Singh @ Lucky was found lying unconscious near Kacha Gohar, Hadda Rori Village, Inderpura.

3. Learned counsel for the petitioner submits that prosecution alleges that the injection administered by Dr. Manoj caused the death of Lakhanpreet Singh, claiming that the injection was poisonous. However, counsel contends that these allegations are vague and unsubstantiated, as the FIR appears to be based solely on hearsay version reported to the complainant, Sandeep Singh, by Baljinder Singh, who himself was facing trial alongside the deceased before the Rupnagar Court.

Learned counsel for the petitioner submits that the petitioner has been in custody since 18.04.2025 and is not implicated in any other case. It is further contended that there is no direct or substantive evidence linking the petitioner to the alleged offence. Allegations are based on vague and hearsay statements, which do not establish any criminal liability on the part of the petitioner. Counsel further submits that continued detention would therefore, serve no purpose and would only prolong the petitioner's unnecessary incarceration, especially in light of the anticipated delay in the trial proceedings. Counsel accordingly prays for grant of regular bail.

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4. Learned State counsel while opposing the prayer of petitioner, submits that allegations against petitioner are serious and involve suspicious death of Lakhanpreet Singh @ Lucky, allegedly caused by the administration of a poisonous injection at the petitioner's clinic. Learned State counsel further submits that FIR, though based on statements made by Baljinder Singh, raises grave concerns that warrant a thorough and detailed investigation. The nature of the offence and its impact on public health and safety cannot be overlooked. Thus, counsel prays for dismissal of present petition.

5. Having heard learned counsel for the parties and perused the record, this Court noticed that the allegations against the petitioner are primarily based on hearsay and lack direct evidence linking the petitioner to the alleged offence. While the matter is serious and requires a full trial for proper adjudication, also petitioner is in custody since 18.04.2025, and the trial is yet to conclude. Considering the absence of any other criminal record against the petitioner, the prolonged pre-trial detention amounts to a deprivation of the petitioner's right to a speedy trial. Therefore, this Court finds merit in the prayer of petitioner.

6. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

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7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

01.09.2025*Rashmi**Whether speaking/reasoned: Yes/No**Whether Reportable: Yes/No*