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CRM-M-62047-2023
Date of decision: 30.07.2025

...PETITIONER

STATE OF PUNJAB

...RESPONDENT

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
181	14.11.2021	Amargarh, District Malerkotla	302 IPC and Sections 21/27/29 of NDPS Act

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 439 of Code of Criminal Procedure [Cr.P.C], seeking regular bail.
2. Vide order dated 07.02.2024, the petitioner was granted interim bail by a Co-ordinate Bench of this Court, the order is continued till date and in the pendency.
3. Per paragraph 12 of the bail petition, the petitioner has no criminal antecedents.
4. The facts and allegations are being taken from the translated copy of FIR (Annexure P-1), which reads as follows:

“Statement of Karamjit Singh S/o late Nasib Chand R/o village Paheri, Police Station Amlloh, District Fatehgarh Sahib aged about 56 years mobile number 88126-XXXXX stated that I am a resident of above said address and I do farming. I have three children. Out of them one daughter and one son is married and my one son Pardeep Kumar aged about 27 years is unmarried till yet. Who works hard as a laborer? My son Pardeep Kumar was friends with Tejinder Singh S/o Mukand Singh Rio Tandabadha Kalan Police Station Amlloh district Fatehgarh Sahib. Yesterday on dated 13.11.2021 at around 08:00 AM, my son Pardeep Kumar had borrowed motorcycle Marka Platina Bajaj of our co-villager Kuldeep Singh S/o Amarnath. My son Pardeep Kumar had some dispute with Tejinder Singh regarding money transaction. Tejinder Singh asked money from my son Pardeep Kumar but he used to say that I will not return your money. After that Tejinder Singh enticed my son Pardeep Kumar and took him from our home on motorcycle of Kuldeep Singh and



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said that we are going somewhere outside. My son Pardeep Kumar did not come back till evening. At around 07:45 PM a phone call from 78149-XXXXX number of Pardeep Kumar was received at 98776-XXXXX number of my daughter-in-law Raj Kumari W/o Yugveer Singh from someone and who said that your son Pardeep Kumar had met with an accident near Alipur village. Come and take him, we are taking our son to the Hospital. Thereafter mobile phone of my son was switched off. We searched a lot for my son Pardeep Kumar but did not find anything. Today in the morning, I my son Yugveer Singh and Harpreet Singh Sarpanch of our village and other persons, we reached at Tandaband village of Tejinder Singh and Tejinder Singh did not gave any satisfactory answer regarding my son Pardeep Kumar. Then Tejinder Singh took us to a minor canal at the revenue limits of village Alipur near the land of Darshan Singh S/o Pritam Singh R/o village Alipur and there in the dried minor canal dead body of my son Pardeep Kumar was lying. His motorcycle was not there and his mobile phone was also missing. After that we started watching dead body of my son Pardeep Kumar and number of people gathered on the spot and Tejinder Singh escaped from the spot. My brother Gurtej Singh and our relative Rakesh Kumar R/o Nauhara took dead body of my son Pardeep Kumar to Civil Hospital Malerkotla. His dead body is lying in the dead house of Civil Hospital Malerkotla. We are sure that Tejinder Singh had killed my son Pardeep Kumar by giving him some poisonous substance and then threw his dead body in minor canal because Tejinder Singh had a disputed with my son Pardeep Kumar regarding money. I came to PS Amargarh along with Harpreet Singh Sarpanch of our village for giving information but you have met us at the main gate of PS Amargarh. I have recorded my statement in the presence of Sarpanch Harpreet Singh, read it, heard it, It is correct Kindly take appropriate action Sd/- Karamjeet Singh endorsed by Harpreet Singh Sarpanch R/o Paheri attested Sd/- Gurnam Singh 417/Patiala, SI/SHO Police Station Amargarh date 14.11.2021.”

5. Counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR and petitioner was not present at the spot. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He further submit that cause of death is overdose of drug and petitioner was granted interim bail after long custody.

6. Petitioner's counsel submits that he has no objection if while granting bail, this Court imposes any stringent conditions and undertakes that petitioner shall not indulge himself in the offence involving the commercial or intermediate quantity or the offence which falls under Section 19/24/27A of NDPS Act. He further submits that if the petitioner involves himself in the said offence, where the sentence imposed is more than 07 years, he has no objection if the State files application for cancellation of his bail.

7. The State's counsel opposes bail.



REASONING:

8. Death of victim was due to overdose of drug and petitioner was granted bail after enough custody and in the interregnum, petitioner never threatened witness or hampered with the trial. Thus, there is no justification to deny bail. As such, no ground is made out to discontinue the interim bail. However, this order shall not be cited and treated like a precedent.
9. Given above, petition allowed. Interim order dated 07.02.2024 is made absolute. All pending applications, if any, stand disposed of.

30.07.2025
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(ANOOP CHITKARA)
JUDGE

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