



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

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**CRM-M-28250-2026
Decided on : 22.05.2026**

ARPIT SINGH ALIAS HAPPY**.....PETITIONER**

Versus

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Sukhwinder S. Dhillon, Advocate
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking grant of regular bail in case FIR No.137 dated 11.10.2025, under Section 105, 3(5) of BNS and Section 27 of NDPS Act (under Section 304 and 34 of IPC), registered at Police Station Bahav Wala, District Fazilka (Annexure P-1).

2. FIR is got registered by the complainant namely, Soma Rani, who alleged that her husband Jagdish Kumar, a laborer, left their residence on October 10, 2025 at approximately 6:45pm on his motorcycle Hero HF-Delux, bearing registration number PB-22-S-7963, after being called out by petitioner and Co-accused, Pali. After about half an hour, all returned back in an intoxicated condition and petitioner, who was driving the motorcycle, and co-accused Pali hurriedly threw Jagdish Kumar (now deceased) in front of the gate of his house and fled away. He was subsequently taken to Civil Hospital where he was declared dead by the doctors.



3. Learned counsel for the petitioner contends that petitioner is falsely implicated in the present case and even the offence under section 105 BNS, is not made out from the bare reading of FIR. He submits that, complainant herself, has categorically stated in the FIR, that her husband was habitual of consuming drugs.

He further contends that there is no evidence whatsoever on record to suggest that petitioner had ever forced, induced or compelled the deceased to consume any excessive quantity of drugs or intoxicating substance which allegedly resulted in his death. Besides, petitioner is in custody since 14.11.2025 and conclusion of trial is likely to take considerable time against him. Thus, prays for grant of concession of bail.

4. On the other hand Learned State Counsel, submits that petitioner is specifically named in the FIR and allegations against the petitioner are serious in nature and he may pressurise the witness. He further submits that if the petitioner is granted concession of bail, there is every likelihood of him being absconding from the trial. Thus, prays for dismissal of concession of bail.

5. This court has heard the learned counsel for the parties and has gone through the instant petition.

6. It is noticed by this court that petitioner is in custody since 14.11.2025 and conclusion of trial is likely to take considerable time. Moreover, whether petitioner has induced or forced the deceased to take excessive intoxicant substance or not, is a matter to be adjudicated by the trial court by examining the evidence adduced before it during the trial proceedings. Any longer incarceration of the petitioner is of no useful purpose. Therefore, this court deems it appropriate to grant the concession of bail to the petitioner.



7. In view of the aforementioned, 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.

8. Any of the discussion done and recorded hereinabove, 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.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

22.05.2026

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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**