



CRM-M-47905 of 2025

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

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**CRM-M-47905 of 2025
Reserved on :08.09.2025
Pronounced on: 10.09.2025**

PRABHJOT SINGH @ BOBBY @ GYANI

.....PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

Ms. Taanvi Dhull, Advocate
for the complainant.**SURYA PARTAP SINGH, J.**

1. This is first petition for bail, filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The present petition is with regard to a case arising out of FIR No.104 dated 16.12.2024, under Sections 105 of B.N.S. (Section 27 of N.D.P.S. Act and Section 3(5) of B.N.S. added later on), Police Station Dabba, Ludhiana.

2. In nut-shell the facts emerging from record are that the above mentioned FIR came into being in the backdrop of the fact that on 16.12.2024 Darshana Rani got her statement recorded, wherein she stated that her younger son namely Gurpreet Singh @ Sonu aged about 25 years was residing with her and that he was a driver by profession in a factory. According to complainant in usual course Gurpreet Singh @ Sonu used to leave home at about 8/9 A.M. and returned by 6/7 P.M. As per complainant on 15.12.2024 his son did not



return home and therefore, she got suspicious that he might have taken drugs with his friends.

3. The above mentioned complainant further stated that at about 09:00 P.M. one turbaned boy alongwith one unknown person brought her son in an unconscious state and told her that Gurpreet Singh @ Sonu had lost conscious on account of overdose of drugs. According to complainant, thereafter, the above said boy left Gurpreet Singh @ Sonu at home and that she found that her son was loosing temperature and therefore, she called her neighbourers and shifted her son to Civil Hospital, where he was declared dead.

4. It is the case of the prosecution that in view of above mentioned statement, formal FIR of this case was lodged, and the investigation taken up. According to prosecution during the course of investigation the petitioner was arrested.

5. Heard.

6. It has been contended by learned counsel for the petitioner that petitioner is innocent having no nexus whatsoever with the commission of crime and that during the course of investigation any evidence which can be termed to be legally admissible has not been collected, by the Investigating Agency, against the petitioner.

7. In addition to above, learned counsel for the petitioner has also argued that otherwise also the petitioner has already suffered sufficient incarceration for being in custody for a period of more than eight & half months and that nothing is left to be recovered from the possession of accused.



According to learned counsel for the petitioner the trial is not likely to be concluded in near future and therefore, further incarceration of the petitioner would breach his fundamental rights. As per learned counsel for the petitioner in the above mentioned prevailing circumstances, the petitioner is entitled for the benefit of bail.

8. Learned State counsel has controverted the above mentioned arguments. According to learned State counsel in the present case, there are very specific and categorical allegations against the petitioner, to the effect that he administered drug to the deceased, and death of the deceased had taken place due to overdose of above mentioned drug. As per learned State counsel, the petitioner is not only responsible for the death of Gurpreet Singh @ Sonu by drug overdose, but also for being in possession of drug and that in the above mentioned facts, the petitioner is not entitled for the benefit of bail.

9. The record has been perused carefully.

10. A perusal of record shows that in the present case, there are certain relevant factors, which needs to be taken into consideration for arriving at any decision with regard to instant petition. Those factors are:-

- (1) that the petitioner has already suffered sufficient incarceration for being in custody for a period of more than eight and half months;
- (2) that investigation in this case is already complete and nothing is left to be recovered from the possession of petitioner;
- (3) that trial pertaining to instant case is not likely to be concluded in near future;
- (4) that detention of petitioner in judicial lock up is not likely to serve any purpose;



- (5) that there is no direct evidence to show proximity of petitioner with the commission of crime.
- (6) that except one case for the commission of offence punishable under Section 307 IPC, the petitioner has no other criminal case pending against him.
- (7) that the case of the petitioner comes within the purview of Section 304(2) IPC (105 of BNSS), which is punishable with a maximum imprisonment of 10 years.

11. If cumulative effect of all the above mentioned factors is taken into consideration it leads to a conclusion that the petitioner is entitled to the benefit of bail.

12. Accordingly, without commenting anything on the merits of the case, the present petition is hereby allowed and the petitioner is admitted to bail subject to his furnishing bail bonds to the satisfaction of learned trial Court.

(SURYA PARTAP SINGH)
JUDGE

Pronounced on:10.09.2025

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