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

**CRM-M No.30235 of 2024  
Date of decision : 29.07.2025**

**Gurjant Singh @ Janta****.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ****\*\*\*\*\***

Present :- Mr. Angel Walia, Advocate  
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

**\*\*\*\*****RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.99, dated 24.06.2023, under Section 302 of IPC (Sections 379/411/120-B/201 of IPC added later on), registered at Police Station Sarhali, District Tarn Taran, Punjab.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Harjinder Kaur. It was alleged that her son, namely, Davinder Singh was of the age of 20 years, left home on 23.06.2023 at about 11:00 A.M. on his motorcycle. However, he did not return. The complainant along with brother-in-law's son made their strenuous efforts to search her son but failed. Finally on 24.06.2023, at about 9:30 A.M., the complainant found her son, Davinder Singh, dead in a room built on link road, near bridge at



canal Dhotia. Her son's motorcycle was not found and the money in his pocket was also missing. It was alleged that someone has robbed the motorcycle and money of her son and he has been killed. The request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation on 28.06.2023, the co-accused, Prabhdeep Singh @ Prabh made a disclosure about the complicity of the petitioner that he supplied the drug to him, which he had administered to the son of complainant and thus the petitioner was also arrayed as an accused in the present case. Resultantly he was arrested on 28.06.2023. On completion of the investigation, the challan was presented and on framing of the charges, the trial Court commenced with trial. The petitioner approached the Court of learned Additional Sessions Judge, Tarn Taran praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Tarn Taran declined the petition filed by the petitioner vide order dated 23.11.2023. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case on the basis of presumptions and assumptions. He has submitted that the petitioner has been arrayed as an accused in the present case on the basis of disclosure statement of co-accused, which is not even an admissible evidence. He has submitted that the petitioner has been allegedly provided the intoxicant to the deceased. He has submitted that as per the postmortem, the cause of death is due to over dose of the



intoxicant. He has submitted that in the facts and circumstances, the offence under Section 302 IPC is also not made out. He has submitted that the petitioner though is involved in 02 other cases, however he is on bail in those cases. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 28.06.2023 and has completed incarceration of more than 02 years. He has submitted that however there is no material progress in the trial and thus, in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that the petitioner had administered the intoxicant to the deceased, which resulted in his death. She has submitted that complicity of the petitioner is prima facie duly established in the present case. She, on instructions, has submitted that out of 19 prosecution witnesses, only 03 have been examined till date. She has produced custody certificate of the petitioner dated 28.07.2025 today in the Court and the same is taken on record.

5. Heard.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in the present case has been arrayed as an accused on the basis of disclosure statement of co-accused. The allegations made against the petitioner are that he administered the intoxicant to the deceased. Cause of death, as submitted before this Court, is found to be over dose of the intoxicant. Whether the offence falls within the ambit of Section 302 IPC would lie in the domain of the trial Court on



weighing the evidences. Custody certificate produced by the learned State counsel would show that the petitioner has completed incarceration of 02 years and 24 days as on 28.07.2025. The petitioner is involved in two other case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

**29.07.2025**

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**(RAJESH BHARDWAJ)  
JUDGE**

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