
Tajinder Singh Alias Teji Vs State Of Punjab

Criminal Miscellaneous Petition (M) No. 34652 Of 2021

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Nov. 17, 2021

Acts Referred:

Indian Penal Code, 1860 – Section 34, 201, 304

Hon'ble Judges: Anupinder Singh Grewal, J

Bench: Single Bench

Advocate: Vishavjeet Singh Rishi, Rakesh Inder Singh Sidhu

Final Decision: Allowed

Judgement

Anupinder Singh Grewal, J

The petitioner is seeking regular bail in FIR No.97 dated 06.04.2021, under Sections 304, 34, 201 IPC, registered at Police Station Salem Tabri, District

Ludhiana.

Learned counsel for the petitioner contends that it is alleged that the deceased had died due to drug overdose. The petitioner is not named in the FIR

and has been arraigned as an accused on the supplementary statement of the complainant recorded later wherein it is stated that the deceased was a

drug addict and the petitioner and co-accused used to take drugs with the deceased and they had administered overdose of drugs resulting in his death.

He, however, contends that the recovery of injections has been effected from co-accused while only a mobilephone has been recovered from the

petitioner. He also contends that it would be improbable that offence under Section 304 IPC would be made out in the aforementioned facts and

circumstances. He also contends that the petitioner, who is 23 year of age, is in custody for over seven months and does not have criminal

antecedents.

Learned State counsel, upon instructions from SI Kashmir Singh, states that although challan has been filed but no prosecution witness has been

examined so far. He also contends that there is an extra judicial confession of the petitioner which also implicates him.

Heard.

In view of the above especially when the petitioner is 23 year of age, he is in custody for over seven months, he does not have criminal antecedents,

the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the

petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular

bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.