

BA 3043 22.

**THE COURT OF SMT. PREETI SAHNI,
ADDITIONAL SESSIONS JUDGE, TARN TARAN**

CIS No. : BA/3043/22
Date of Institution : 29.10.2022
Date of Decision : 22.11.2022

Bomb @ Ravinder Singh s/o Manjit Singh r/o Pati Lamian Di, Khadur Sahib,
Tehsil Khadur Sahib, Distt. Tarn Taran

----Applicant/accused.

Versus

State of Punjab

-----Respondent.

FIR No. : 388 dated 16.10.2022
Under Sections : 304/149 IPC.
Police Station : Goindwal Sahib.

First Bail Application under Section 438 Cr.P.C.

Present: Sh. Narinder Singh, Advocate, counsel for applicant/accused.
S. Satinderjit Singh, Addl.PP for the State

Order

Accused/applicant has moved first bail application under
Section 438 Cr.P.C. seeking grant of anticipatory bail.

It is alleged that the applicant/accused is innocent; he has been
falsely implicated in the case in hand; he has not committed any offence; he is
ready to join the investigation and he be given the concession of bail.

Notice of the bail application was given to the State. Learned
Addl.PP for the State has opposed the bail application.

Heard. Police record received and perused. The case has been
registered at the instance of Jatinder Singh s/o Dalbir Singh r/o Pati Gurmukha Di,
in his statement recorded with the police on 16.10.2022, he stated that he is an
agriculturist; his son Mehakdeep Singh aged about 19 years, after passing 10 +2
class, was taking classes in Gray Matters for ILETS.

On 14.10.2022, at about 9 AM, he left the house for going to
center; as he (complainant) was in need of motorcycle, he contacted his son on
phone at about 4:30 PM and then his son replied that he would reach within 20 to
25 minutes. As his son did not come, he made several phone calls to him on his

phone bearing no. 8196844384, but no response came.

He further stated that at about 8:30 PM, he received a phone call from the phone of Mehakdeep Singh on his own phone bearing number 8872582372. The caller said to him that his son was lying on kacha path of Gharata Wali Road, Railway Station, Khadur Sahib. On receiving this information, he along-with his nephew Ranjodh Singh reached near Railway Station, Khadur Sahib, but he did not find his son Mehakdeep Singh there. Then he went towards river side and found that his son Mehakdeep Singh was lying in that area in unconscious condition. His motorcycle bearing no. PB 33 U 8845 was lying in the bushes and his mobile phone was also lying near him.

Immediately, he took his son to Dr. Sharma, Khadur Sahib, who after checking found him alive and advised to take him to the hospital ; then he was taken to Guru Nanak Mission Hospital, Tarn Taran, where his son was declared brought dead.

Initially, the proceedings under Section 174 Cr.P.C were initiated and postmortem of Mehakdeep Singh was got conducted.

The complainant further stated that now he has got information that the friends of his son Mehakdeep Singh namely Jodhbeer Singh, Pardeep Singh, Jagdeep Singh s/o Daljit Singh, r/o Khadur Sahib, Ajaydeep Singh s/o Baljinder Singh r/o Biharipur, Akashdeep Singh, Bomb (applicant/accused) r/o Khadur Sahib used to consume the intoxicant substance together.

He further stated that on 14.10.2022, when his son left the house for going to center to attend the ILETS classes, then on the way, his friends Ajaydeep Singh and Jodhbir Singh met him ; then instead of going to the center, he went along with them . They took narcotic from Gurbinder Singh and consumed the same. He also came to know that in the evening, Jodhbir Singh, Ajaydeep Singh and Bomb (applicant/accused), Sandeep Singh @ Seepa had

purchased heroin from Suba Singh and they all consumed the same.

During investigation, one of co-accused Sandeep Singh @ Seepa suffered disclosure statement that on 14.10.2022, he received a phone call from Ajaydeep Singh that he needed heroin, then Ajaydeep Singh along-with Jodhbir Singh and Bomb r/o Khadur Sahib came in the evening and purchased heroin for a sum of Rs. 1200/- from him.

Further, the other co accused Jodhbir Singh also suffered a disclosure statement that on 14.10.2022, he, Ajaydeep Singh and Ravinder Singh (applicant/accused) @ Bomb r/o Khadur Sahib had purchased heroin from Suba Singh and they all consumed the heroin together near banks of river.

Almost on similar lines is the disclosure statement of another co accused Ajaydeep Singh.

During course of arguments, ld. counsel for applicant/accused raised point that a false case has been got registered. There is no recovery of any narcotic from the possession of accused and his dope test is found to be negative.

On the other hand, ld. counsel for applicant/accused raised point that whatever the facts and circumstances have come on record, those reveal the complicity of the applicant/accused also. He also raised point that in this region , the consumption of narcotic is very prevalent and it is destroying the lives of youngsters and in the case in hand, also a young boy had died due to consumption of narcotic.

So considering the overall facts and circumstances, which have come on record, the applicant/accused does not deserve the concession of anticipatory bail. Accordingly, the present application stands dismissed and papers be consigned to the record room.

Pronounced
22.11.2022
Aman (Steno)

Preeti Sahni
Additional Sessions Judge
Tarn Taran/UID-PB0078