

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

Sr. No.204

CRM-M-2399-2018
Date of decision : 07.03.2018

Baljinder Kaur

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. D.S. Malwai, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.77 dated 29.07.2017, registered at Police Station Dhanaula, District Barnala, under Sections 302, 328, 307 and 201 IPC.

Learned counsel for the petitioner contends that the petitioner is the daughter-in-law of the complainant i.e. Pritam Singh and deceased-Gurdev Kaur and is alleged to have poisoned them. He submits that deceased-Gurdev Kaur was taken to hospital on 28.07.2017 by the petitioner herself and that the FSL report of the viscera of Gurdev Kaur has not been received till date. The complainant was admitted in hospital on the next day i.e. 29.07.2017 and was discharged on 03.08.2017 and the medical report of the complainant does not refer to any kind of poison. Thus, the submission is that as yet there is no evidence on record to implicate the petitioner and she has been in custody since 30.07.2017.

Learned State counsel has not been able to rebut the factual submission made by learned counsel for the petitioner. Although, it is

stated that the deceased-Gurdev Kaur, as per the version in the FIR, was taken to hospital by Sh. Sukhwinder Singh (neighbour of the deceased).

Be that as it may and without commenting upon whether the deceased was taken to hospital by the petitioner or not, it would be just and appropriate to release the petitioner on interim bail till the report of the FSL is received.

The petition is disposed of with direction to release the petitioner on interim bail till the report of the FSL is received. Petitioner-Baljinder Kaur, is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the trial Court concerned at Barnala. Petitioner shall surrender before the trial Court immediately on receipt of report of the FSL.

(SUDHIR MITTAL)
JUDGE

07.03.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No