

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37908-2018

Date of decision: 05.09.2018

Asha Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. KP Singh, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Asha Rani, has prayed for grant of regular bail in case FIR No. 129 dated 14.07.2018 registered under Sections 304 and 120-B IPC and Section 27 of the NDPS Act at police Station Jandiala, District Amritsar (Rural).

2. According to the prosecution, son of the petitioner-Jagdish Kumar Disha and her grand-son, namely; Lovepreet Kumar, are suppliers of intoxicant substances. Deceased son of the complainant, namely; Himanshu Tangri, on the date of his death had taken some intoxicant injection on instigation of co-accused Mallu, Sandeep Kumar, Sarabjit Singh, Kala Karyana Wala etc. and died due to overdose.

3. Learned counsel *inter alia* contends that as on date, petitioner is aged around 71 years. She has been arrested on hearsay

allegation of her supplying intoxicant substance/injection. Petitioner is in custody since 14.07.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail.

4. On the other hand, learned State counsel vehemently opposed the above submission of learned counsel for the petitioner.

5. Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Asha Rani, is ordered to be released on bail pending trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

September 05, 2018
rishu

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No