

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-47132 of 2018

Date of Decision: December 13, 2018

Neetu Rani		Petitioner
	Versus	
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The brief allegations in this first anticipatory bail application filed under Section 438 Cr.P.C. in case FIR No. 88 dated 17.07.2018 under Section 306 IPC are that the petitioner aged 20 years entered into a relationship with co-accused Narinder Singh, who happens to be the husband of deceased Manpreet Kaur and as a consequence of this relationship, the deceased is alleged to have consumed poison on 10.07.2018 leading to her death on 17.07.2018.

Mr. Ashish Gupta, learned counsel for the petitioner, *interaila* contends that there is no tangible evidence to link the petitioner with the commission of offence and none of the ingredients of offence Section 306 IPC are enumerated in the evidence of the prosecution and that nothing is to be recovered from the petitioner and it was a pure matrimonial dispute between husband and wife.

Mr. Dhruv Dayal, Senior DAG, Punjab on instructions

from ASI Jasbir Singh, Police Station Sadar Faridkot though has opposed the grant of bail in the light of the heinousness of the allegations but fairly concedes at bar that there is no evidence whatsoever to connect the petitioner with the commission of the offence.

Appreciating the submissions of the two sides and in the light of what has been projected before this Court, it would be travesty of justice to send the petitioner behind the bars together with the fact that culpability, if any, of the petitioner shall be subject to the evidence at the trial which is not likely to be concluded in the near future. Therefore, in the event of arrest, the petitioner be released on bail to the satisfaction of Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and she shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Thereafter, will be released on regular bail upon presentation of challan.

Disposed off.

December 13, 2018
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No