

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****205****CRM-M-28551-2020 (O&M)**
Date of Decision: 02.12.2020

Suman

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kiran Kumar Madan, Advocate, for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.25 dated 13.02.2020 at Police Station Kartarpur, Jalandhar under Sections 304 and 34 IPC.
2. The FIR was lodged at the instance of Jeewan, wherein it is alleged that his son Akash was called telephonically by Karan to his residence on 09.02.2020, but he did not return back. It is alleged that on the next day i.e. 10.02.2020, the complainant's daughter was informed by Karan that Akash was lying in the bathroom of his house. When the complainant alongwith his daughter Pooja reached at Karan's house, they found that the bathroom was bolted from outside and they took out Akash from bathroom after unbolting the door, who was unconscious. The complainant's son

was taken to hospital, where he was declared dead. The complainant suspected that his son had been killed by Karan in connivance with his father Ashok and mother Suman.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that no specific role had been attributed to her and has been involved simply on account of the fact that she happens to be the mother of Karan, who is suspected to have killed the complainant's son.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
5. I have considered rival submissions addressed before this Court.
6. A perusal of the FIR would indeed show that there is no specific attribution as far as the petitioner is concerned. The post-mortem report as well as the report of the Chemical Examiner indicate that large quantity of alcohol was found present in the body of the deceased, which could even be indicative of the fact that cause of death on account of excessive consumption of alcohol. It would be debatable, as to whether the accused had any role in the said excessive consumption or not. In any case, since the petitioner is a lady and has already joined investigation and is not required for any custodial interrogation, the petition, as such, is accepted and the interim directions issued by this Court vide order dated

18.09.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

02.12.2020

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**