

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

**CRM-M No.49851 of 2019 (O&M)
Decided on: 09.01.2020**

Paramjit Kaur and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Inderpal Singh Parmar, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Manish Verma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners under Section 438 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.0114 dated 18.10.2019, for offence punishable under Sections 304 of the Indian Penal Code, 1860 (in short 'IPC') and 27 of the Narcotic Drugs and Psychotropic Substances Act, (in short 'the NDPS Act') registered at Police Station Payal, District Ludhiana.

Counsel for the petitioners has submitted that as per the allegations in the FIR, registered at the instance of Gurwinder Singh, his nephew Sanmeet Singh was unmarried and was residing alone in a house and was working as a Driver on a truck. He had visited the house of the petitioner – Paramjit Kaur and her son namely Jagtar Singh @ Tari, who were selling the drugs and in this regard, he has asked the petitioner – Paramjit Kaur and her son that they should stop Sanmeet

Singh from visiting them and providing any drugs. It is further argued that it is stated in the FIR that on 16.10.2019, his nephew Sanmeet Singh had gone to pay obeisance at Rara Sahib Gurudwara but he did not return and his mobile phone was switched off. Thereafter, he started searching for him and came to know that he was lying near a water course on an un-mettled road and thereafter, he was taken to the hospital where he died. Later on, it came to know that he had gone to the petitioner – Paramjit Kaur and her son Jagtar Singh @ Tari, who had giving him injections of drugs and due that he has died. It is also submitted that in pursuance to the order dated 28.11.2019 she has joined the investigation and the co-accused i.e. son of the petitioner is in custody.

Counsel for the State, on instructions from ASI Sikander Singh, assisted by counsel for the complainant has however, submitted that the case is still at the investigation stage and the petitioner has not co-operated in the investigation as she has not got recovered the Aadhar Card, wallet and other documents, which the deceased was carrying when he visited the house of the petitioner.

Counsel for the State has further submitted that the petitioner No.1 is even, involved in one more case i.e. FIR No.142 dated 19.08.2017 registered under Section 22/61/85 of the NDPS Act at Police Station Payal, District Khanna. It is also argued that the son of the petitioner namely Jagtar Singh @ Tari is also involved in 03 other FIRs under the NDPS Act and they are involved in the business of drugs and are supplying the same to young persons of the area and due to the said drugs, supplied by the petitioner – Paramjit Kaur and her

son, the young person namely Sanmeet Singh has died.

After hearing the counsel for the parties, considering the serious allegations against the petitioners and also in view of the fact that the family of the petitioners is involved in other cases registered under the NDPS Act, I find no ground to grant the concession of anticipatory bail to the petitioners.

Accordingly, the present petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

09.01.2020
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No