

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

CRM-M-20281of 2022(O&M)

Date of Decision: 28.09.2022

Pinky Arora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Amandeep Chhabra, Advocate and
 Mr. G.S. Sawhney, Advocate
 For the petitioner.**

Mr. Jaspal Singh Guru, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 175 dated 27.03.2022, registered under Section 304 IPC at Police Station Zirakpur, District SAS Nagar (Mohali).

The counsel for the petitioner submits that petitioner who is aged about 33 years has been falsely implicated in the present case alleging that she pushed deceased Paramjeet Singh with great force and as a result of which the deceased fell on the floor and died. The counsel for the petitioner further submits that as per the post mortem report no external mark of injury was found on the body of the deceased. That as per the report of Chemical Examiner no poison was found in the viscera of the deceased which was sent for analysis. The counsel for the petitioner further submits that the deceased

was aged about 75 years and he died natural death and the petitioner is not responsible in any manner for the death of Paramjeet Singh and as such she is entitled to grant of regular bail.

The present petition is opposed by the State counsel who submits that on account of the push given by the petitioner, Paramjeet Singh fell on the floor and died. However, the State counsel has not disputed the fact that the deceased was about 75 years of age and no external injury was found on his dead body and that as per the report of viscera no poison was detected.

I have considered the submissions made by counsel for the parties.

As per the custody certificate furnished by the State counsel, the petitioner is stated to be in custody for the last more than 3 months and is having no criminal history. Admittedly, the deceased was 75 years of age and no external mark of injury was found on his dead body at the time of post mortem examination. Further, no poison was detected in viscera of the deceased. As per the report dated 15.09.2022, whose copy is placed on record the cause of death in this case was found to be sudden cardiac arrest, sufficient to cause death under normal circumstances.

In view of the above, it is a matter of evidence as to whether the alleged push given by the petitioner to the deceased, aggravated his heart ailment, which resulted in his death. It will take time for the trial to conclude. So, no purpose is going to be served by keeping the petitioner in custody for any longer period.

Thus, without expressing any opinion on the merits of the case, instant petition is allowed. The petitioner is ordered to be released on regular bail during the trial on her furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate concerned.

28.09.2022
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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No