

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

222

**CRM-M-36318-2022
Date of Decision:-21.11.2022**

Usha Rani

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM:HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr.Akshay Rana, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Arshdeep Khadial, Advocate
for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.194 dated 20.07.2022 registered under Sections 304 IPC at Police Station Phillaur District Jalandhar.

Learned counsel for the petitioner submits that initially FIR was registered under Section 304-A IPC and later on converted into Section 304 IPC. He further submits that the petitioner has been falsely implicated in the present case alleging that she used to supply drugs to deceased Jaswant Singh and due to overdose of the same said Jaswant Singh died on 20.07.2022. The counsel for the petitioner further submits that there is nothing on the record to show that on the day of occurrence or prior to that the deceased ever met the petitioner or was supplied drugs by the petitioner. He further submits that the petitioner has joined the investigation with the police in the light of the previous

order passed by this Court.

Learned State counsel on instructions from ASI Vijay Kumar has not disputed the fact that the petitioner has joined the investigation with the Police. He further submits that the petitioner is not required by the police for any further investigation. However, the present petition has been resisted by the State counsel on the ground that the petitioner is having criminal history.

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

The FIR in the present case was registered against petitioner and some other persons alleging that they supplied drugs to deceased Jaswant Singh and due to over dose of the said drugs Jaswant Singh died on 20.07.2022. There are no allegations available on the record that the petitioner forcibly administered any drug to the deceased which resulted in his death.

Admittedly, the petitioner is not belonging to the village of the deceased. Further, in the present case no contraband is recovered from the petitioner.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 31.08.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

21.11.2022
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(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No