

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

CRM-M-46974-2022

Date of decision: 14.10.2022

Veerpal Kaur

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Amit Shukla, A.A.G., Punjab.

NAMIT KUMAR, J.

This petition has been filed by the petitioner under Section 438 Cr.P.C. seeking grant of anticipatory bail in a case bearing FIR No.193 dated 12.08.2022 (Annexure P-1) under Section 304 of IPC and Section 27 of the Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station Canal Colony Bathinda.

The case of the prosecution is that the FIR was got registered on the basis of statement of complainant-Charanjit Kaur in which she stated that her son Gagandeep Singh fell in bad company and started consuming intoxicating substance. For the last four-five months, he was taking the injections of *heroin*. She further alleged that her son used to bring *heroin* from the present petitioner-Veerpal Kaur, Buta Singh and Bhushan Kumar @ Tony. On 11.08.2022, her son Gagandeep Singh had brought *heroin* from the aforesaid persons.

The allegations against the petitioner are that she along with her co-accused used to supply the intoxicants to deceased-Gagandeep Singh and the complainant requested the accused not to supply the same to her son. As per the prosecution version, on 11.08.2022, deceased-Gagandeep Singh had brought *heroin* from the petitioner and other co-accused.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case as he has been named in the FIR only on the basis of suspicion, whereas, Gagandeep Singh has died due to overdose of the drug for which the petitioner cannot be held responsible in any manner whatsoever. He further submits that thereafter, the compromise (Annexure P-2) has been effected between the complainant-Charanjit Kaur and the present petitioner-Veerpal Kaur and, therefore, the petitioner may be granted the anticipatory bail and she is ready to join the investigation.

Per contra, the learned State counsel on the strength of advance notice has opposed the prayer of grant of pre arrest bail to the petitioner and submitted that three more cases are also pending against the petitioner. The details of which are as under:-

- 1. FIR No.244 dated 14.10.2019, Police Station Canal Colony Bathinda, on bail.
- 2. FIR No.146 dated 09.07.2019, Police Station Canal Colony, Bathinda, on bail.
- 3. FIR No.153 of 2019, Police Station Canal Colony Bathinda, on bail.

He further submits that co-accused-Buta Singh has also filed petition under Section 438 Cr.P.C. for grant of pre arrest bail before this Court vide CRM-M-40917-2022 which was dismissed as withdrawn vide order dated 08.09.2022.

Considering the overall facts and circumstances of the case, allegations are serious in nature and petitioner has played vital role in the same, therefore, the petitioner is not entitled for the concession of pre arrest bail and, consequently, the instant petition stands dismissed.

14.10.2022
Neha

(NAMIT KUMAR)
JUDGE

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