

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-5267-2023
Date of Decision.:28.04.2023

Rajni @ Rajjo
Vs.
The State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lovish Rattan, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.127 dated 03.10.2022 registered under Sections 304 & 188 of the IPC registered at Police Station D-Division, District Amritsar.

FIR was lodged on the complaint of Kiranjot Kaur, as per which her unmarried elder brother Narinder Singh aged 29 years, used to drive auto-rickshaw by taking on rent and takes the passenger to hotels. On 03.10.2022, her brother had left at about 05:00 a.m. Complainant was informed by auto owner Kulwinder Singh at about 03:00-03:30 p.m. that he had received a call from a girl namely Rajjo (petitioner) from Hotel R Continental to the effect that Narinder Singh @ Ninder was not feeling well. Deep Singh, the younger brother of the complainant along with Kulwinder Singh went to the Hotel where Narinder Singh was not having any breaths.

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He was taken to the hospital and was declared brought dead. It was stated in the FIR that she had come to know that petitioner used to accompany the deceased usually in the hotel room and that the said petitioner-Rajjo was a drug addict. It was suspected that petitioner had given heavy dose of drugs to deceased Narinder Singh resulting in his death.

It is submitted by learned counsel for the petitioner that petitioner and deceased Narinder Singh were in relationship about which the family of the deceased knew very well. Having no source of income petitioner used to work as a daily wager.

It is further submitted by learned counsel for the petitioner that she has been falsely implicated at the instance of the family members of the deceased. Entire case is dependent upon circumstantial evidence. Petitioner has never taken any drugs.

As per the reply filed by way of affidavit of Shri Surinder Singh, PPS, Assistant Commissioner of Police, Central, Amritsar it was found during investigation that for the last about one year petitioner and deceased were living as husband and wife without performing marriage. It was also found that on the date of incident both of them had consumed heroin. Police report is also accompanied by the opinion of Medical College, Amritsar based on the findings of post-mortem report, chemical examiner report and that of Histopathological Examination Report, as per which cause of death was found to be respiratory failure due to morphine poisoning.

As per custody certificate placed on record by learned State counsel, petitioner is in custody for the last 6 months and 24 days with no

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criminal antecedents. She is a girl of just 22 years of age. Case is dependent upon circumstantial evidence. It is yet to be established as to what role has been played by the petitioner in consumption of the contraband by the deceased.

Having regard to all the aforesaid facts and circumstances and that trial may take time to conclude but without commenting anything on the merits of the case, petitioner is admitted to bail on her furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Disposed of.

April 28, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No