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

CRM-M-30426-2023 (O&M)

Date of Decision: 28.09.2023

KAMALPREET KAUR @ RAJJI @ RAJVEER KAUR**.. Petitioner****Vs.****STATE OF PUNJAB****..Respondent****CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: None for the petitioner.

ASI Gurnaib Singh.

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MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.153 dated 16.07.2022, under Section 304 of the Indian Penal Code, 1860, registered at Police Station Baghapurana, District Moga.

2. Above FIR was registered on the basis of statement made by complainant Harbans Kaur with the allegations that petitioner alongwith co-accused has given overdose of intoxicant substance to his son Akashdeep Singh, which resulted into his death.

3. This Court, vide order dated 14.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that co-accused with similar allegations has already been granted the concession of pre-arrest bail by Co-ordinate Bench vide order dated 13.09.2022 (P-1).

Notice of motion for 28.07.2023.

On asking of the Court, Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and seeks time to have instructions or file response in the matter.

Requisite copies of paper-book be supplied to learned State Counsel during the course of day.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Police officer has apprised the Court that in pursuance of the aforesaid order, the petitioner has joined investigation and her custodial interrogation is not required.
5. In view of above, interim order dated 14.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
6. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
7. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
8. Disposed off accordingly.
9. Pending applications, if any, also stand disposed off.

28.09.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No