

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

CRM-M-46530-2022

Date of Decision:-**31.01.2023**

MAHNI @ MANJIT KAUR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.83 dated 27.6.2022 registered under Section 304 IPC at Police Station Sadar Malout, District Sri Muktsar Sahib.

Counsel for the petitioner contends that as per the allegations appearing in the FIR, deceased Gagandeep Singh was drug-addict and he used to get drugs from the petitioner and other accused persons named in the FIR and due to consumption of drugs, Gagandeep Singh died. The counsel for the petitioner further submits that only general allegations have been

leveled in the FIR against the petitioner and other 5 residents of the village of the deceased.

The counsel for the petitioner submits that the petitioner has joined investigation with the police by virtue of previous order of interim bail passed by this Court.

The present petition is resisted by the State counsel, who on instructions from ASI Kuldeep Singh has not refuted the aforesaid assertions made by counsel for the petitioner and submits that the petitioner is not required by police for further investigation or for custodial interrogation as the challan stands presented in the present case by the police.

As per the report of FSL, Morphine was found in the viscera of the deceased, however, apparently it appears that it is not the case of prosecution that the overdose of drugs, which resulted in the death of the deceased, was injected or administered to him by the present petitioner. The exact complicity of the petitioner in the present case will be unfolded during the trial.

In view of the above, without commenting on the merits of the case, the present petition is hereby allowed and order dated 10.10.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

31.01.2023
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No