

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-46630-2023 (O&M)

Date of Decision:19.10.2023

Jyoti Sagar

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr.Tushar Wadhwa, Advocate, for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

\*\*\*\*

**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.67 dated 18.04.2023, under Section 304 IPC, registered at Police Station Phase-I, Mohali, District SAS Nagar.

2. Learned counsel for the petitioner submitted that the petitioner is a lady of 25 years of age and the allegations against the petitioner were that she alongwith her friend namely, Naina Devi were sitting at a place and were consuming liquor but due to excessive drinking, the aforesaid friend of the petitioner died as she was also suffering from Pulmonary Tuberculosis and due to excessive alcohol coupled with the aforesaid disease, she had died. He submitted that even now in the affidavit filed by the State it has come up in para no.7 that the Medical Officer has also opined the cause of death due to Pulmonary Tuberculosis and its complications and even in the viscera also blood ethyl alcohol concentration was found to be excessive.

He submitted that the petitioner is in custody from 18.04.2023 and investigation of the case has already been completed and thereafter challan has been presented. He submitted that the trial of the case may take long time and therefore, the petitioner may be considered for the grant of regular bail.

3. On the other hand, Mr. Harsimar Singh Sitta, DAG, Punjab has stated that so far as the medical opinion is concerned, the same has already been incorporated in the affidavit filed by the State and it is correct that the investigation of the case has already been completed and challan has been presented.

4. I have heard the learned counsel for the parties.

5. In view of the factual position which has been so stated by the learned counsel for the parties that the petitioner who is a lady of the age of 25 years was having liquor with her own friend and considering the medical report which has been so stated in the affidavit and the fact that the investigation of the case is complete, this Court deems it fit and proper to grant regular bail to the petitioner.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

19.10.2023

*rakesh*

(JASGURPREET SINGH PURI)  
JUDGE

Whether speaking  
Whether reportable

: Yes/No  
: Yes/No