

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-47793-2023

Date of decision: 06.10.2023

Radha Rani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nirmal Sharma, Advocate with
Mr. Akhilesh Vyas, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.0067 dated 10.04.2023 under Section 304 of the IPC registered at Police Station Ajnala, District Amritsar.

2. Learned counsel for the petitioner while drawing the attention of this Court to the allegations levelled in the FIR in question, submits that the petitioner had been falsely implicated in the case in hand on the basis of a suspicion that the deceased had been administered some intoxicant by the petitioner, who was in a relationship with him for the past many years. Learned counsel further submits that as per the admitted case of the father of the deceased his deceased son was a drug addict. Furthermore, after the registration of the FIR, the misconception which the complainant had qua the hand of the petitioner in the alleged homicidal death of the deceased, stood removed, which was clear from a perusal of Annexure P-2, wherein the complainant had categorically stated that his son had died on account of

overdose of drugs which he had consumed himself.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Tarsem Singh, has not disputed that the cause of death was on account of consumption of some intoxicant. It has also not been disputed by the learned State counsel that the father of the deceased had made a statement to the effect that his deceased son was a drug addict and furthermore in his statement (Annexure P-2), he had not attributed any role to the petitioner for the death of his son.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 11.04.2023. After the challan was presented on 08.07.2023, charges have not yet been framed. The trial would, therefore, take considerable time to conclude. The petitioner is also not stated to be involved in any other criminal case. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.10.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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