

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

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2023:PHHC:165547

CRM-M-63874-2023

Date of decision: December 22nd, 2023

Reenu Sirohi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Digvijay Nagpal, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is a second petition filed by the petitioner seeking the concession of regular bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.88 dated 02.11.2023 under Sections 279, 304 of the Indian Penal Code, 1860 at Police Station Dhakoli, District S.A.S. Nagar.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been in custody since 04.11.2023 for having caused the death of a 3 year old while driving her car. Learned counsel has further submitted that at best it is a case of 304-A of the IPC and certainly not 304 of the IPC, for which the challan has now been presented. A prayer has been made to extend the concession of bail to the petitioner as the next date of hearing before the trial Court is 29.12.2023 when the charges are likely to be framed, coupled with the fact that 17 prosecution witnesses have been cited, hence, the trial is not likely to conclude in the near future.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Labh Singh, has not disputed that the investigation in the case in hand is complete and challan also stands presented, however, he submits that the petitioner was driving her car in a rash and negligent matter while talking on the mobile phone and it was on account of her negligence that a 3 year old lost his life.

4. On a pointed query put to the learned State counsel as to whether the petitioner was involved in any other criminal case, he on instructions, has replied in the negative.

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

6. The petitioner has been in custody since 04.11.2023. She is not stated to be involved in any other case, coupled with the fact that the investigation in the case in hand is complete. Hence, the trial would take considerable time to conclude.

7. In the facts and circumstances as enumerated hereinabove, 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.

December 22nd, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No