



242-1

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

CRM-M-3117-2024 (O&M)

Date of decision : 08.05.2024

Charanjit Kaur @ Charan Kaur

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Chandan Singh Rana, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr.DAG, Punjab.

Mr. Vikrant Pujara, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Petition under Section 439 of the Code of Criminal Procedure, 1973 has been filed for grant of bail pending trial to the petitioner in FIR No.84 dated 31.05.2023, under Section 304 of the Indian Penal Code, 1860, registered at Police Station Sidhwan Bet, District Ludhiana (Rural).

2. Allegations are that deceased-Jaswinder Singh @ Bittu used to purchase Heroin from the petitioner and other co-accused, but instead of Heroin, they supplied some chemical drug and said Jaswinder Singh died after consuming the same.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 25.01.2024 and she is regularly appearing before learned trial Court. There is no apprehension



that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 25.01.2024 and the order reads as under:-

““Contends that the matter has been amicably settled between the parties, i.e. petitioner and the complainant, at their own level.

Notice of motion.

Mr. M.S. Tiwana, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

At this stage, Mr. Vikrant Pujara, Advocate, causes representation on behalf of the complainant and acknowledged the factum of compromise effected between the parties, i.e. petitioner and the complainant.

Posted for 11.03.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. It is acknowledged by learned State counsel that in terms of the aforesaid order, petitioner was released on interim bail and she is regularly appearing before learned trial Court; there is no allegation that she is likely to misuse the concession of bail or hamper the proceedings in case her interim bail is made absolute; therefore,



sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 25.01.2024, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. Above observations be not construed as an expression of opinion on merits of case, in any manner.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

12. Pending application(s), if any, shall also stand disposed off.

08.05.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No