



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29839-2025
DECIDED ON: 27.05.2025

AMARJEET KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sumit Dua, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 89 dated 02.05.2025 U/s 105,3(5) of BNS Act, P.S. Basti Bawa Khel, Jalandhar and further arrest of the petitioner be stayed during the pendency of the present petition.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of unknown Rohit son of Dinesh Kumar R/O H NO-164 Street No. 12 Ratan Nagar Basti Bawa Khel Jalandhar Age about 30 years Declared that I am a resident of the above address and work as an electrician. My brother Chetan alias Rahul son of Dinesh Kumar age about 32 years used to live in the same house with me. On 27-4-2025 at around 6 AM, my brother Chetan alias Rahul had gone to work from home and at around 11.25 PM on 27-4-25, I received a call

from Civil Hospital Jalandhar which informed me that Rahul has been admitted to Civil Hospital Jalandhar by two unknown persons. On which I and Chetan alias Rahul's brother-in-law Mandeep Singh son of Balwinder Singh resident of Street No. 12 Ratan Nagar Jalandhar reached Civil Hospital Jalandhar and on reaching Civil Hospital, the doctor told me that my brother Chetan alias Rahul has died. Chetan @ Rahul was addicted to drugs. My brother Chetan alias Rahul's dead body was kept in Civil Hospital Mortuary. Accordingly, DDR NO 19 dated 28-4-2025 U/S 194 BNSS PS Basti Bawa Khel has been registered Commissionerate Jalandhar. Later, due to suspicion, I have been searching for the culprits on my own level. I have come to know that my brother Chetan @ Rahul was taken from his workplace and taken to Kothi No. 13/8 Shaheed Babu Labh by Amanpreet Singh @ Love Kahlon, Kaka Bhargo Camp, Jatt and Jatt's mother Amarjit Kaur W/O Swaran Singh. Where an overdose of some narcotic or other drug was given and he was beaten up by them. He died due to an overdose of drugs or due to the administration of narcotic drugs. Kindly appropriate legal action should be taken against the above said accused. The statement has been written and read and is correct. SD ROHIT 9041240701 Verification Barjinder Kumar ASI Police Station Basti Bawa Khel Commissionerate Jalandhar Date 02-05-2025”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is no eye witness. He further submits that the no role whatsoever has been attributed to the petitioner, wherein the deceased came to her house in a drunken condition and has been merely named in the instant FIR as she is mother of co-accused Navdeep @ Jatt, who is drugs addict. He contends that there is delay of 6 days in lodging the FIR for which no explanation is coming forth by the prosecution.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jastej Singh, Addl. AG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition, on the ground that the petitioner alongwith co-accused have caused the death of Chetan @ Rahul due to overdose of intoxicant substance, therefore, her custodial interrogation is required.

4. **Analysis**

Be that as it may, after giving due consideration to the submissions made hereinabove particularly the fact that Chetan @ Rahul was drunken when he reached the house of the petitioner and thereafter became unconscious due to an excessive dose of drugs and was subsequently taken to the hospital, where he was declared dead after receiving treatment for a short period and further taking into account that the petitioner, being the mother of co-accused Navdeep @ Jatt (a known drug addict), has not been attributed any role and despite that has been implicated in the present case, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein she has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

27.05.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>