



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-50376-2024

Date of decision: 23.01.2025

Melo Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Manpreet Ghuman, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.46 dated 24.05.2024 under Section 304 of the Indian Penal Code, 1860, registered at Police Station Ghagga, District Patiala.

2. On 07.10.2024, while noticing the following submissions made by the learned counsel for the petitioner and learned State counsel, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel contends that the petitioner has been falsely implicated; that she did not sell any intoxicant to the deceased and even otherwise, the allegation of giving overdose is to the co-accused Lovepreet and not to the petitioner.

XXX

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Learned State Counsel could not refute the afore-said contention that only role attributed to the petitioner is to sell the intoxicant and that too, not to the deceased and rather to Lovepreet Singh.”



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3. Learned counsel for the petitioner submits that in compliance of order dated 07.10.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 07.10.2024, is made absolute subject to the conditions laid down in Section 438(2) of the Cr.P.C./482(2) of the BNSS.

23.01.2025

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(MANJARI NEHRU KAUL)
JUDGE

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