



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-56989-2024 (O&M)
Date of Decision:- 20.05.2025

AMARJIT KAUR @ BALWANT KAUR
Versus
STATE OF PUNJAB
....Petitioner(s)
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Dishant Jindal, Advocate for the petitioner.
Mr. K.D. Sachdeva, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
256	11.10.2022	302, 34 IPC; 27 NDPS Act	Sadar Mansa, District Mansa, Punjab

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the all the material witnesses have been examined and they have not lent any support to the case of prosecution and have turned hostile. He further contends that similarly situated co-accused Gurdeep Singh @ Guggu has been granted the concession of bail by the co-ordinate Bench of this Court vide order dated 27.02.2025 passed in CRM-M-48365-2024. He



submits that the petitioner is in custody since 11.10.2022 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take sufficient long time, thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has opposed the petition on the ground of gravity of offence. He has, however, not disputed the fact that the material witnesses have not supported the case of prosecution and that the case of the petitioner is at par with co-accused Gurdeep Singh @ Guggu, who has already been enlarged on bail (*supra*).

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the present FIR was registered on the allegations that on 10.10.2022 at about 08:00 PM, the members of the accused family called the son of the complainant namely Jagdeep Singh to attend a birthday party at their house, where they administered liquor to his son along with heroin and due to overdose of the drug, his son died. During the course of investigation, the petitioner was arrested on 11.10.2022 and since then she is in custody. Admittedly, the case of the petitioner is at par with co-accused Gurdeep Singh @ Guggu, who has already been granted the concession of bail (*supra*). Challan has already been presented in Court, wherein the prosecution has cited 24 witnesses, however only 08 have been examined till date, including three material witnesses, who have not supported the case of prosecution and have turned hostile. The conclusion of trial to ascertain the



criminal liability, if any, of the petitioner, will take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

20.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No