

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

103

CRM-M-18505-2016 (O&M).

Gulshan Kumar

.. Petitioner(s)

VERSUS

State of Haryana

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Vimal Kumar Gupta, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

Petitioner along with other co-accused is alleged to have given fist and slap blows on the person of Rakesh Kumar deceased as per the complaint of Kusum Lata, wife of the deceased.

Counsel for the petitioner has vehemently contended that there is delay of five months in lodging of FIR. There were three external injuries on the chest of deceased but the said injuries are not the cause of death as per report of pathology Annexure P12 which indicates that deceased died on account of atherosclerosis which occurs on account of high blood pressure, smoking or high cholesterol.

I have heard the counsel for the petitioner. It will not be appropriate, at this stage, for this Court to enter into the niceties of trial to determine whether the death of the deceased is the direct result of the injuries or it is the direct result of the injuries caused on the chest by the petitioner and his co-accused. The application for pre-arrest bail has been declined by the Additional Sessions Judge, Yamuna Nagar, inter alia, on the ground that the investigation is at initial stage.

I do not find any ground to grant the concession of pre-arrest bail to the petitioner. The petition is dismissed. However, it is observed that nothing mentioned in this order will prejudice the right of the petitioner to seek concession of regular bail.

**(M.M.S. BEDI)
JUDGE**

July 8, 2016.