

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

CRM-M No. 37046 of 2016

Date of decision : November 09, 2016

Jaspal Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Deepak Arora, Advocate
for the petitioner.

Mr. KS Pannu, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.80, dated 5.8.2016, registered under Sections 306, 34 of the IPC, at Police Station Lambra, District Jalandhar.

As per the allegations in the FIR, the father of the complainant had some dealings with the petitioner and some other persons. On the fateful day, the father of the complainant had accompanied the petitioner and the other persons and had come home after taking much liquor. At home he first vomited and then told the complainant that the petitioner and his companions had administered something to him. Thereafter, he went to sleep and did not wake up.

Counsel for the petitioner has argued that this is a case where a natural death has been converted into an unnatural death.

I put it to counsel for the respondent that as per the allegations in the FIR, a case under Section 306 of the IPC could not have been instituted but a case under Section 302 of the IPC could have been instituted. On instructions from ASI Amarjit Singh, counsel for the respondent states that the deceased had left behind a note where he stated that the petitioner and his companions would be responsible for his death. Even this note cannot be termed to be a suicide note in the strict sense because it could also be said to pointing towards murder. He also states that the viscera report has not yet been received.

In these circumstances, I deem it appropriate to grant interim bail to the petitioner to the satisfaction of the trial Court till the receipt of the FSL report. Ordered accordingly. Thereafter, the trial Court will consider the plea for confirmation/cancellation thereof. Petition stands disposed of.

November 09, 2016

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**(AJAY TEWARI)
JUDGE**

**Whether speaking/reasoned:
Whether Reportable:**

**Yes/No
Yes/No**