

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-42676 of 2015

Date of decision : 29.01.2016

Pawan Kumar Malhotra

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Veneet Sharma, Advocate for the petitioner

Mr. V.P.S. Sidhu, AAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 85 dated 20.05.2015 registered at Police Station Sadar Amritsar, Amritsar City, District Amritsar under Section 304-B IPC.

Pooja was married to the petitioner in June 2011. They had one daughter. Pooja was admitted in the hospital on 09.05.2015 by her brother. The hospital reported that she and her attendant absconded from the hospital on 10.05.2015. The petitioner alleges that wife of the petitioner was got admitted in a private Hospital on the same day i.e. on 10.05.2015 and she was suffering from viral infection and before that she had typhoid.

Learned counsel for the petitioner contends that there were no injuries and death is not on account of any injury and the Board had given the opinion that possibility of death is due to Viral Myocarditis. He further contends that petitioner is in custody since 21.05.2015 and now application has been filed under Section 319 Cr.P.C.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

January 29, 2016

**(ANITA CHAUDHRY)
JUDGE**

reena