

CRM-M-19215-2020

Date of decision: 17.07.2020

JOGINDER PAL @ BUNTY

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Satpreet Grewal Kapila, Advocate
for the petitioner.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Briefly, the FIR bearing No. 23 dated 19.02.2020 under Sections 304/34 IPC, 1860 and Section 201 IPC, 18760 added later on, at Police Station Dasuya, District Hoshiarpur has been registered on the basis of the statement of Jit alleging that on 18.02.2020 at about 08:30 am, Biri alongwith Bunty-petitioner came to his house and took away his younger son Mandip @ Gonu with them. Mandip @ Gonu did not return back and the complainant inquired from Biri and Bunty about him but they could not give any satisfactory reply. On the following day, the complainant alongwith Numberdar Sukhdev Ram made enquiries and were informed that Mandip @ Gonu along with the accused had consumed liquor in the fields of Davinder Singh, where his condition deteriorated and he died at the spot and the accused slipped away from the spot.

It has been stated by the learned counsel for the petitioner that as per postmortem report the cause of death has been alleged to be alcohol overdose.

Notice of motion.

Mr. H.S. Sullar, DAG, Punjab, accepts notice on behalf of the

respondent-State.

It may be mentioned here that in the postmortem report it has been mentioned that the cause of death has been allegedly due to alcohol overdose. It is significant to note that there are multiple needle pricks on left cubital fossa. Furthermore, the cause of death was to be given on the receipt of report of Viscera and Histopathology Examination of Heart.

It has been stated by the learned State counsel that the reports of Viscera and Histopathology Examination have not yet been received. Furthermore, the petitioner is absconding and proclamation proceedings have already been initiated against him.

It will be too early to conclude that cause of death is due to overdose of alcohol. Furthermore, the matter requires thorough probe and investigation and no exceptional circumstances are made out to extend the concession of the pre-arrest bail to the petitioner.

In view of the above, the present petition stands dismissed.

17.07.2020
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(VIVEK PURI)
JUDGE

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