

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212

CRM-M-18370-2021

DATE OF DECISION: 06.08.2021

RAVI KUMAR @ RAVI VERMA

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Lakhwinder Singh Mann, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.13 dated 26.01.2021, under Section 304 IPC, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that there is delay of 1 year and 3 months in registering the FIR. The cause of death could not be ascertained in the case. It is alleged that the deceased and the complainant were seen together in the CCTV footage prior to his death. He further contends that there were no external injuries in the post mortem report. It was suspected that death was due to poisoning and viscera was sent for chemical analysis and pathological examination. After the report of the medical examiner was received, the medical opinion was sought. The opinion of the doctor is as under:-

“After receiving of chemical examination number 4249 dated 25.11.2020 and histopathological report no. – Patho dispatch no.283/20, I am of the opinion in this case, that the cause of death cannot be determined.”

The petitioner is in custody for over 5 ½ months. The co-accused Gaurav Verma has been granted anticipatory bail by the Session court on 15.03.2021.

Learned State counsel, upon instructions from ASI Jaswainder Singh, contends that challan has been filed but no prosecution witness has been examined.

Heard.

In view of the above, especially when there were no external injuries and the cause of death could not be ascertained, the petitioner is in custody for over 5 ½ months, there is a delay of over 1 year and 3 months in registering the FIR, the co-accused has been granted bail, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

06.08.2021

SwarnjitS

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