

In virtual Court

CRM-M-23653-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23653-2019 (O&M)
Date of decision: 30.07.2021

Harwinder Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Karan Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-21727-2021

For the reasons stated in the application, same is allowed and date of hearing is preponed from 06.10.2021 to today.

CRM stands disposed of.

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Prayer in this petition is for issuance of directions to respondents No.3 to 5 to file a status report in DDR No.066 dated 14.04.2019 registered at Police Station Kotwali, Patiala.

Learned counsel for the petitioner submits that wife of the petitioner namely Gagandeep Kaur was pregnant for about 04 months and she along with her mother Kiranpal Kaur went to one Ashu Nursing Home, Patiala,

where the doctor advised some treatment and later on, she died. It is further submitted that the death has occurred on account of an operation conducted by unskilled person, whereas as per opinion of the doctor, it was due to heart attack. It is also submitted that brother of the deceased lodged the aforesaid DDR with the police, however, no action has been taken so far.

This petition is pending since 19.05.2019 and while issuing notice of motion, the State was directed to file the reply.

Learned State counsel, on the basis of reply by way of affidavit of Deputy Superintendent of Police, City-1, Patiala, submits that subsequent to registration of Rapat No.66 dated 10.04.2019, the police conducted an inquiry and thereafter, FIR No.324 dated 29.11.2019 under Sections 324, 304-B IPC has been registered at Police Station Kotwali, Patiala against the petitioner-husband Harwinder Singh, one Kiranpal Kaur and Roshan Lal. It is submitted that though the Senior Superintendent of Police, Patiala had written a letter to Civil Surgeon, Patiala on 09.05.2019 (Annexure R-1) that as per post-mortem report, Board of Doctors has shown cause of death as “Haemorrhagic shock sufficient to cause death in the ordinary course of nature”, but there is no mention about any negligence on the part of doctor, who treated the deceased. It is also submitted that it is only thereafter, on 29.11.2019, after conducting inquiry, the aforesaid FIR was registered against the petitioner and now the petitioner is pursuing this petition just to create a defence, as he is an accused in the aforesaid FIR for commission of offence under Section 304-B IPC regarding unnatural death of his wife Gagandeep Kaur.

After hearing learned counsel for the parties, I find no ground to

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issue any direction, as the matter is subjudice before the trial Court, where the petitioner, by leading the defence, can prove his innocence.

Dismissed.

**[ARVIND SINGH SANGWAN]
JUDGE**

30.07.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No