



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I) **CRM-M-45654-2024 (O&M)**
Date of Decision:- 28.10.2024

Manusimran Singh Mansimran Singh @ Manu ... Petitioner

Versus

State of Punjab ... Respondent

(II) **CRM-M-46629-2024 (O&M)**

Pandit Varun @ Varun Mehta ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Singla, Advocate, for
Mr. Vivek Salathia, Advocate, for the petitioner
in CRM-M-45654-2024.

Mr. Vinod Ghai, Senior Advocate with
Mr. Arnav Ghai, Advocate,
Mr. Gaurav Datta, Advocate and
Mr. Sumit chahal, Advocate, for the petitioner
in CRM-M-46629-2024.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Jagroop Singh and ASI Sucha Singh.

Mr. Veneet Sharma, Advocate, for the complainant.



FIR NO.	DATE	POLICE STATION	OFFENCES
0165	27.07.2024	Sadar Amritsar, District Police Commissionerate Amritsar	304 and 120-B IPC

GURVINDER SINGH GILL, J.

1. This order shall dispose of the above mentioned two petitions arising out of the same FIR, wherein petitioners Manusimran Singh Mansimran Singh @ Manu and Pandit Varun @ Varun Mehta, seek grant of anticipatory bail.
2. The FIR was lodged at the instance of Lakhwinder Kaur wherein she alleged that her younger son Prince Chauhan was married to Navdeep Kaur about 6 years back and they were blessed with a son who is aged about 5 years. However, her daughter-in-law Navdeep Kaur wanted to learn astrology and came in touch with one Pandit Varun Mehta and used to visit his house frequently and on account of which there used to remain quarrel between complainant’s son and daughter-in-law. Complainant’s son Prince Chauhan went into depression. On 11.6.2024 at about 11:00 AM when complainant was present at home with her son, then her daughter-in-law served food to them, but shortly after having the same complainant’s son started feeling unwell upon which the complainant told her daughter-in-law to give lemonade to complainant’s son. Navdeep Kaur brought two glasses of lemonade and gave one to Prince Chauhan and other to the complainant. After consuming the same, complainant’s son Prince Chauhan started vomitting and fell on the floor. Even the complainant started vomitting and fell on the floor. Complainant’s



elder son Navjot Singh took them to Care and Cure Hospital at Amritsar where they remained under treatment for 5 days and then came back to their house. However, their health again deteriorated during night and later on the night intervening 16/17.06.2024 Prince Chauhan was admitted to Parvati Hospital, Amritsar and on the next day even the complainant was admitted in the same hospital. While Prince Chauhan remained admitted for 10 days, the complainant remained admitted for 5 days and then came back home. Subsequently, the complainant was admitted to one K.D. Hospital and her son Prince Chauhan was admitted to Adhlakha (The Shiva) Hospital, Maqboolpur Road, Amritsar. Pandit Varun Mehta came to Adhlakha Hospital and told them that they should go back to their house otherwise they will not survive in the hospital. Thereafter Pandit Varun Mehta also came to their residence and told them to keep lying on bed otherwise they will die. However, their health further deteriorated and on 06.07.2024 the complainant and her son were admitted to Escort Hospital, Amritsar and were later taken to PGI, Chandigarh on 07.07.2024 where Prince Chawla breathed his last while under treatment. The complainant was then shifted to Dayanand Medical College and Hospital at Ludhiana on 09.07.2024. It is alleged that Pandit Varun Mehta his wife Anju Mehta his sons's brother-in-law Manu and Simu, in connivance with complainant's daughter-in-law Navdeep Kaur had administered some poison in lemonade to Prince Chauhan and had murdered him.



3. Learned counsel for the petitioners submit that a bald allegation regarding involvement of petitioners has been levelled in the FIR without there being any specific description of role. Learned counsel submits that they cannot be said to have any role to play or any interest in eliminating the complainant's son Prince Chauhan.
4. It has further been submitted that although the complainant alleges that poison had been administered to her as well as to her son on 11.6.2024, but the very fact that death had taken place after about a month i.e. on 07.07.2024 would go a long way to show that it is not the case of any poisoning on 11.6.2024 as alleged. It has been submitted that in case any poison in the shape of Arsenic is administered, as is now alleged to have been administered to the deceased and to the complainant, then death would have taken place within about 48 hours. It has been submitted that Arsenic poisoning can broadly be classified in the following three categories:
 - i. Acute
 - ii. Sub Acute
 - iii. Chronic
5. It is alleged that since it is a case of alleged single dose of poisoning leading to death, traces of the same could not have been in the body after one month as is being projected by the prosecution by relying upon the Viscera report of the deceased as the Viscera had been taken on date of death i.e. on 07.07.2024.



6. Opposing the petitions, learned State counsel assisted by counsel for the complainant submitted that since there are very specific allegations levelled in the FIR which are borne out from the medical evidence in the shape of the post mortem report and the report of FSL, indicating presence of Arsenic, the complicity of both the petitioners is clearly evident.
7. This Court has considered the rival submissions addressed before this Court.
8. It is specifically alleged by the complainant that complainant's daughter-in-law Navdeep Kaur had started visiting the house of petitioner-Pandit Varun Mehta frequently which was not liked by the complainant's son who had been objecting to the same and on account of which there used to remain a quarrel with them. It is also specifically alleged that on 11.6.2024, Navdeep Kaur had prepared lemonade for the complainant and her son and upon consuming the same, their health suddenly deteriorated and they started vomiting and fell on the floor and thereafter were taken to hospital. It appears that initially after remaining a short while in Care and Cure Hospital they were discharged after about 4-5 days, but on the same very night their condition again deteriorated and they were then admitted to Parvati Hospital. Subsequently, they were shifted to Adhlakha Hospital although thereafter they came back home but again had to be taken to Escort Hospital, Amritsar as their health did not improve and ultimately taken to PGI Chandigarh where Prince Chauhan breathed his last breath on 07.7.2024.



9. While, initially doctors could not immediately diagnose the cause of the deteriorating health of the deceased despite various tests, in the notes recorded in the medical record pertain to Dayanand Medical College and Hospital wherein the complainant came to be admitted, there is reference to presence of Arsenic toxicity. The FSL report pertaining to the Viscera examination of the deceased also clearly shows the presence of Arsenic. The relevant extract from the diagnostic report Annexure R-1 pertaining to the sample of blood of Prince Chauhan drawn on 07.07.2024 reads as under:

“METALS

LEAD, EDTA WHOLE BLOOD

LEAD 0.13 <5 ug/dl

(Critical value>75)

ARSENIC, EDTA WHOLE BLOOD

ARSENIC 536.97 HIGH <23.0 ug/l”

10. A similar diagnosis is there in respect of the tests conducted on Lakhwinder Kaur complainant at Dayanand Medical College and Hospital, Ludhiana wherein the cause of the ailment of complainant Lakhwinder Kaur had been pointed out as Arsenic poison. Although, it is correct that as per the case of prosecution the poison had allegedly been administered on 11.6.2024 i.e. about a month prior to the death of complainant’s son Prince Chauhan, but the duration between administering of Arsenic and death can vary on account of various factors i.e. the quantity of Arsenic, the frequency of its administration and the manner in which it is administered. It goes without saying more the quantity administered, the quicker its



symptoms would surface and the duration of between administration and death will be short and can even be lesser than 48 hours. In case poison is administered in smaller quantity but continuously over a longer period of time, the death may be after a longer period but the presence would certainly be there in various parts of the body. Further, in case the Arsenic is given in the shape of liquid, its absorption would be faster. Arsenic is known to be absorbed in the bones and at times can be traced even from the bones exhumed after several years. In the instant case while it is correct that both the complainant and her son started vomiting consequent upon consuming lemonade but given the fact that the complainant's daughter-in-law was also residing in the same house, it is yet to be found out as to whether it is a case of slow-poisoning and as to whether she had been administering poison to deceased since long in small quantity. While petitioner-Pandit Varun Mehta would have a motive to eliminate the deceased as the wife of the deceased had been frequently visiting his house and some kind of relationship was suspected, petitioner Manusimran Singh @ Mansimran Singh @ Manu is brother of wife of deceased and as per the complainant he is into the business of jewellery and he would have easy access to Arsenic which is used in jewellery making.

11. Having regard to the nature of allegations and the manner in which the death had occurred, it is certainly a case where custodial interrogation would be required to unearth the exact modus operandi



adopted by the accused. Both the petitions are sans merit and are hereby dismissed.

12. A photocopy of this order be placed on the file of each connected cases.

28.10.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No