

CRM-M-27416-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-27416-2025

Decided on: 19.05.2025

Pandit Varun @ Varun Mehta**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

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

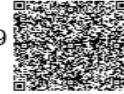
Mr. Neeraj Madan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 482 of BNSS, seeking anticipatory bail in case FIR No. 165 dated 27.07.2024, under Sections 304 and 120-B IPC, registered at Police Station Sadar, Amritsar, District Amritsar.

2. During the course of hearing, it has been noticed that the earlier anticipatory bail petition filed by the petitioner, i.e., CRM-M-46629-2024, was dismissed vide order dated 18.10.2024, after taking into consideration each and every factual aspect of the case. For reference relevant part is reproduced herebelow:

“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

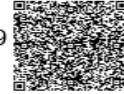


month prior to the death of complainant's son Prince Chauhan, but the duration between administering of Arsenic and death can vary on account of various factors i.e. the quantity of Arsenic, the frequency of its symptoms would surface and the duration of between administration and death will be short 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.”

3. On 19.12.2024, Special Leave to Appeal (Criminal) No. 17846-2024 (arising out of the impugned final judgment and order dated 28.10.2024 in CRM-M-46629-2024) filed by the petitioner was withdrawn before the Hon'ble Supreme Court, and the following observation was made:

“ Learned Senior counsel for the petitioner, on instructions, states that he may be permitted to withdraw the present petition.



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In view of the statement made, the Special Leave Petition is dismissed as withdrawn.”

4. In this regard law is already settled that no second anticipatory bail petition is maintainable on the same cause of action. In the present case detailed and exhaustive order, dismissing the prayer for anticipatory bail has already been passed by the co-ordinate Bench of this Court (as noticed hereabove), and despite that petitioner is evading his appearance/submission before the Investigating Agency to join the process of law. Rather, filing of the instant petition is nothing, but misuse of process of law and wasting the precious time of the Court. Therefore, present petition is hereby dismissed being not maintainable and a cost of Rs.50,000/- (Rupees Fifty thousand only) is also imposed upon the petitioner and same be deposited with a recognized old age home, Amrtisar, within three months from today.

However, it is clarified that if the cost amount is not paid by the petitioner within the stipulated time period, required process in accordance with law would be initiated against the petitioner for effecting recovery.

Copy of this order be forwarded to the concerned Judicial Magistrate and Deputy Commissioner for information and necessary compliance.

(SANJAY VASHISTH)
JUDGE

May 19, 2025
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Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO