
(2022) 04 OHC CK 0125
In the Orissa High Court
Case No : Writ Petition (C) No. 3102 Of 2013

Puna Bhoi And Another

APPELLANT

Vs

State Of Orissa And Others

RESPONDENT

Date of Decision : 21-04-2022

Acts Referred:

Citation : (2022) 04 OHC CK 0125

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : J.D. Barik, J.D. Barik

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Barik, learned advocate appears on behalf of petitioners and submits, his client's claim compensation for custodial death of Rabinarayan Bhoi.
2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and refers to post mortem, viscera and final reports. On query from Court he submits, the deceased was accused in police case under, inter alia, sections 498-A/302/34 of IPC, on death of his wife. He was in custody for two months, when he suffered cardiac arrest. It was a natural death. The death happened on 13th September, 2007 but the writ petition was presented on 7th February, 2013.
3. Mr. Barik submits, his clients had made representations dated 17th November, 2011 and 10th July, 2012. The representations were not considered.
3. On query from Court Mr. Sharma submits, there is no policy in place regarding accused undertrials cheating with natural death while in custody.
4. Perused the reports. The post mortem report says there was no mark of external physical injury. The viscera report is also negative regarding ingestion

by the deceased, of any drug or position etc. The final report says that it was natural death. There is also no dispute that the deceased died after having spent two months in custody.

5. In circumstances aforesaid, State is directed through its appropriate functionary to consider and dispose of above referred representations made by petitioners. Result of the consideration be made known to them within three weeks of communication.

6. The writ petition is disposed of.

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