

Insurance - Accident - Janta Personal Accident Insurance Policy - Insurance Policy only covers "bodily injury resulting solely and directly from accident caused by outward, violent and visible means (including sterilization risks)" - Provisos of policy specifically disclose that compensation will not be paid in respect of injury of the injured if he is under the influence of intoxicating liquor - Night before his death, the deceased was heavily drunk, and had gone and slept outside on a cold, rainy October night in Chopal - In case of excessive drinking and cold weather, asphyxia is the final medical complication - Only if the insured sustains any bodily injury resulting solely and directly from accident caused by outward, violent and visible means, the Insurance Company would be liable to indemnify the insured - Therefore, only accidental death of the insured shall be indemnified - Post-Mortem Report clearly indicates that there were no injuries found on the body of the deceased - Probable cause of death as per the Final Opinion in the Post-Mortem Report is asphyxiation caused by alcohol consumption and regurgitation of food into larynx - Expert opinions also show that the cause of death was due to consumption of alcohol - Injured is not entitled to compensation since it is proved that he was intoxicated and that death was due to intoxication.

[204 PLR 001 \(SC\) = 2021 PLRonline 0280](#)