

CRM-M No.28309 of 2016 (O&M)

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

CRM-M No.28309 of 2016 (O&M)

Date of decision : 26.08.2016

Ami Chand

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Mohammad Arshad, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Additional A.G., Haryana.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.187, dated 29.07.2016 registered under Sections 420 IPC and 15(2), 15 (3) of the Indian Medical Council Act at Police Station Hasanpur, District Palwal.

The allegation against the petitioner is that he was found practising as a Doctor without any degree.

Learned counsel for the petitioner states that it is the offence under Section 15 (3) of the Indian Medical Council Act and Section 420 IPC has been added only to increase the seriousness but there are no allegation of Section 420 IPC.

Learned Additional Advocate General is not in a position to explain as to what are the allegations under Section 420 IPC except for the bare allegation that the petitioner is practising without a degree.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 05.09.2016 and on any other date as and when his presence is required. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

26.08.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No