

CRM-M-33230-2016

Date of Decision : 19.09.2016

Jai Parkash Saluja

.....Petitioner

versus

State of Haryana and another

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Vaibhav Narang, Advocate
for the petitioner.**M.M.S. BEDI, JUDGE (ORAL)**

This is the petition for quashing of prosecution under Section 304-A IPC launched on the allegation that on 24.08.2013, Ekta died on account of transfusion of infected blood without an information to the Blood Bank, Panipat on account of blood transfusion reaction.

Since the charges have already been framed, at this stage of evidence, it will not be appropriate for this Court to enter into the niceties of the trial, without prejudice to the right of the petitioner, this petition is disposed of as not maintainable, at this stage.

It will be open to the petitioner to raise all the pleas at appropriate stage before the trial Court and seek benefit in accordance with law.

Taking into consideration the fact that the petitioner is practicing doctor, it is ordered that in case an application for exemption from personal appearance is filed indicating any professional difficulties, the said application may be allowed subject to any condition imposed by the trial Court. It is also made clear that the petitioner will not take any step to delay the proceedings by filing any such

applications. It will be open to the trial Court to record the statements of the witnesses as per provisions of Section 273 Cr.P.C. in presence of counsel for the petitioner, in case, there is no difficulty regarding the identity of the petitioner.

(M.M.S. BEDI)
JUDGE

19.09.2016
Neha

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No