

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41212-2016

Date of decision: November 18, 2016.

Nisha

... **Petitioner**

v.

State of Haryana and another

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Abhimanyu Singh, Advocate for the petitioner.

A.B. Chaudhari, J. (Oral):

Heard Learned Counsel for the petitioner.

This is a petition for cancellation of grant of regular bail that was made by the trial court in FIR No.245 dated 26.4.2016, under Sections 15(2)(3) of the Indian Medical Council Act, and Sections 336 and 420 IPC, registered at Police Station Sohna, District Gurgaon.

Learned Counsel for the petitioner vehemently contended that the respondent No.2, who has been granted bail by the trial court is a quack and by practising on bogus and fake certificates, he is causing injury to the society as such.

I have perused the impugned order granting bail. Looking to the offences against the respondent No.2, the trial court granted him regular bail. Looking to the sentence that is provided and the offence alleged against respondent No.2, I do not think that this is a fit case for cancellation of bail granted by the trial court when the case is triable by the Magistrate

and it will take its own time and therefore there is no point in detaining the petitioner in custody till the conclusion of the trial.

However, concern expressed by the petitioner is really worth considering. If the respondent No.2 quack is still practicing, the petitioner is at liberty to keep surveillance on respondent No.2 and to inform the police about respondent No.2 indulging in similar offence by practicing as a quack. It is made clear that the police machinery or higher officers shall be under an obligation to take into consideration any such information brought to their notice and shall act swiftly to stop respondent No.2 from practicing as a quack.

Disposed of.

[A.B. Chaudhari]
Judge

November 18, 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No