

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

CRM -M-18178 of 2017 (O&M)

Date of decision: 11.10.2017

Naresh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Salil Bali, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by HC Upender Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 321 dated 21.08.2016, registered under Sections 307, 326, 325, 324, 323, 452, 506, 148 read with Section 149 of IPC, at Police Station Tosham, District Bhiwani.

It is contended that injured Poonam was not examined at the Government Hospital. The MLR was conducted at Medicity Hospital, Hisar as per which, injury has been shown to be a large right parietal EDH with fracture and the same was declared dangerous to life, whereas as per information received under RTI Act dated 19.05.2017, it has been specifically mentioned against point No.2 that on the relevant date, injured Poonam wife of Dinesh was examined at

Civil Hospital, Tosham and the injury was noticed as lacerated wound. He further submits that Dr. Ram Kumar Sharma treated the patient whereas MLR was prepared by Dr. Ashok Kumar Goyal. This hospital is notorious for generating false MLRs. Dr. Ram Kumar Sharma was nominated as an accused in a similar FIR. The complainant stands examined. The petitioner is not involved in any other FIR and he is in custody since 04.09.2016.

On the other hand, the learned State counsel opposes the bail application, however, she admits the factum that petitioner is not involved in any other FIR.

Heard.

Considering the fact that the material witnesses including the complainant have been examined; the petitioner is not involved in any other FIR and keeping in view the alleged dubious reputation enjoyed by the hospital, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

11.10.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No