

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

CRM-M-44562-2016

Date of decision: February 06, 2017.

Bilal-A-Hamidi

... **Petitioner**

v.

State of Haryana

... **Respondent**

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

Present: Shri Satish Chaudhary, Advocate for the petitioner.

Shri Surender Singh, Assistant Advocate General, Haryana.

Ms. Chhavi Sharma, Advocate for the complainant.

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

Heard learned counsel for the rival parties.

In FIR No.31 dated 13.2.2015, under Sections 420, 467, 468, 471, 120-B and Section 10-A of the Indian Medical Council Act, Police Station Ferozepur Jhirka, District Mewat, the petitioner was arrested on 29th November, 2015 and is in jail since then. The age of the petitioner is stated to be 75 years. Undoubtedly, the offence in which the petitioner indulged is serious inasmuch as the petitioner opened a fake medical college. It is difficult to fathom how at the age of 75 years, the petitioner could have greed for money as it is stated by the State counsel that the petitioner collected amount over crores of rupees from the innocent students. From the record, it appears that the petitioner did not have any permission as required by the Indian Medical Council Act (amended provisions) to go

ahead for cheating the people.

Nevertheless, the offences are triable by the Magistrate; challan has been filed. The age of the petitioner is 75 years. Looking to his old age, I think, there is no point in keeping in jail pending trial. In that view of the matter, following order is passed:-

ORDER

- (i) The petition is allowed;
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the trial court;
- (iii) The State police shall attach the properties of the petitioner.

February 06, 2017.
kadyan

[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No