

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45969 of 2017 (O&M)

Date of Decision: 08.12.2017

Parbhat Vishwas

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.445 dated 09.11.2017 registered for offences punishable under Sections 15 (2) and 15 (3) of the Indian Medical Council Act, 1956 at Police Station Dadri City, District Charkhi Dadri. (Offecne punishable under Section 420 IPC was added later on).

Heard.

Notice of motion.

On asking of the court, Mr. Amrik Narwal, DAG, Haryana., who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

The petitioner faced trial for offences punishable under Sections 15(3) of the Indian Medical Council Act and 420 IPC. Allegation against the petitioner is that he was practicing as doctor without having any degree.

Learned State counsel submits that after completion of investigation, police has presented the challan against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Parbhat Vishwas is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

December 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No