

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

CRM-M-583-2017

Date of decision: February 13, 2017.

Dr. Parveen Siwach

... **Petitioner**

v.

State of Haryana and another

... **Respondents**

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

Present: Shri Sant Lal Barwala, Advocate for the petitioner.
Shri Surender Singh, Assistant Advocate General, Haryana.
Shri R.S. Banku, Advocate for respondent No.2.

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

Heard learned counsel for the parties.

There is a motion for quashing of FIR No.463 dated 7.12.2010 under Section 304-A IPC, registered at Police Station Barwala, District Hisar, by way of compounding/compromise. Learned counsel for the State has filed reply, which is taken on record. The trial has commenced. The allegations against the petitioner are that he is only a BAMS doctor and therefore was not competent to perform the delivery of the woman in which both the mother and the child died. In such a situation, the ratio decidendi in the case of Gian Singh v/s State of Punjab has no application. Hence, without making any adverse remarks against the petitioner, the petition for compromise is not accepted. The trial court shall not be prejudiced by any of the observations hereinabove. The trial shall be concluded independent of the observations.

Disposed of.

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

February 13, 2017.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No