

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

Sr. No.203

CRM-M No.9725 of 2017
Date of decision: 05.04.2017

Dr. Abhishek Jain and others

....Petitioners

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. J.S. Hooda, Advocate
for the complainant.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioners seek anticipatory bail in FIR No.933 dated 13.11.2016, registered under Sections 323, 506, 294, 166-B, 420, 406, 120-B read with Section 34 of India Penal Code and Sections 15(2) and 15(3) of Indian Medical Council Act, at Police Station Camp Palwal, District Palwal.

Vide order dated 22.03.2017, while issuing notice of motion, this Court had ordered that in the event of arrest, petitioners shall be released on ad-interim anticipatory bail to the satisfaction of the arresting officer subject to the conditions prescribed in Section 438(2) Cr.P.C.

Seeking anticipatory bail for the petitioners, learned counsel submits that the petitioners have falsely been implicated in the case for the reason that the complainant had come to the hospital of which the

petitioner No.1 is the Managing Director for treatment of his son and when the Doctor attending to the complainant's son did not classify the injury suffered by the complainant's son as per the dictates of the complainant, the present FIR was got lodged. It is further submitted that as per the interim order of this Court, the petitioners have joined the investigation and have fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Duli Chand, admits that the petitioners have joined the investigation and submits that at this stage are no longer needed by the investigating agency for further questioning.

In the view of the above, the petition is allowed and order dated 22.03.2017 granting ad-interim anticipatory bail to the petitioners is made absolute subject to the conditions as prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

April 05, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>