

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10378-2018

Date of decision: 20.03.2018

B.S. Gill

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ankush Singla, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in FIR No.4 dated 04.01.2018 under Sections 420, 467, 468, 471 IPC and Section 15 of The Indian Medical Council Act, 1956, registered at Police Station Payal, District Ludhiana (mentioned as District Khanna in FIR).

Learned counsel for the petitioner submits that FIR has been registered on the complaint given by the Registrar, Punjab Medical Council, Mohali against the petitioner with the allegations that the petitioner is practising as a doctor in Arzoo Hospital, Rada Sahib, Tehsil Payal, District Ludhiana and is not holding any degree. The SSP, Khanna got the matter inquired through Punjab Medical Council and Ethical Committee verified the aforesaid fact and found the allegations to be correct and on the basis of same, present FIR is registered against the petitioner that he is practising as

a doctor on a fake degree.

Learned counsel for the petitioner further submits that in fact, the offence under Section 420 IPC is not made out, as there is no complainant, to whom the petitioner has prescribed any medicine and therefore, he is entitled to anticipatory bail.

Learned State counsel, on instructions from ASI Pavittar Singh, has however opposed the prayer for bail on the ground that after verifying the facts, SSP, Khanna vide letter dated 01.08.2017 wrote to the Punjab Medical Council to conduct an inquiry and the Ethical Committee has conducted an inquiry. During the inquiry, it has been verified from AIIMS that the petitioner has not passed the MBBS or MD examination from any institute and even the Punjab Medical Council has issued a letter intimating that the petitioner is not registered with the Punjab Medical Council under registration No.40510, which was proved to be a fake registration, on the basis of which the petitioner was practising in medicines.

Since there are serious allegations against the petitioner of practising as a doctor on the basis of a fake degree, I find no ground to grant anticipatory bail to the petitioner.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

20.03.2018
Vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No