

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

Crl. Misc. No. M-27291 of 2018 (O&M)

Date of decision: July 24, 2018

Mukesh Kumar and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. V.P. Sangwan, Advocate
for the petitioners.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.0224 dated 24.06.2016 (Annexure P-1), registered for offence punishable under Section 304A read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Bhiwani City, District Bhiwani along with all consequential proceedings arising therefrom.

As per the allegations of the complainant, his wife was on family way and was taken up for delivery to Panwar Maternity, Children and Dental Hospital, New Bharat Nagar, Rohtak Road, Bhiwani. When labour pain started, his wife was taken to the labour room and left unattended on a stretcher. Due to labour pain, she fell down from the stretcher. After some time, a nurse came there and on seeing wife of complainant lying on the floor, called the complainant and his family

members, who picked up Vedwati, wife of complainant and put her on the stretcher again. Thereafter, the doctor came and started operation but she along with the child in womb, died.

It is not disputed that the wife of complainant had fallen down from the stretcher while she was in labour room. As to whether this act was due to negligence of the petitioners is a fact to be seen on the basis of evidence during trial and no reason for quashing of FIR is made out at this stage.

Learned counsel for the petitioners seeks permission to withdraw the petition.

Dismissed as withdrawn.

(SURINDER GUPTA)
JUDGE

July 24, 2018
Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No