

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

**CRM-M-32159-2018
Date of decision:29.10.2018**

Gurmeet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by ASI Kuldeep Singh.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.106 dated 14.07.2018 under Sections 353, 186, 506, 511 of Indian Penal Code, 1860 and Sections 68(1), B, G, H, J of Punjab Police Act, 2007 registered at Police Station City Malout, District Sri Muktsar Sahib.

The FIR was registered at the instance of Dr. Amritpal Singh wherein it has been alleged that on 13.07.2018 when he was present in the hospital, then Gurmeet Singh (petitioner) came there along with Gagandeep Kaur for getting Medico Legal Report conducted but since by that time one patient who had been electrocuted had been brought in the hospital, therefore, he checked the said patient on priority basis who had in fact already expired. The complainant alleged that since the person

patient who had brought the said electrocuted person (dead) had not disclosed his name, therefore, he sent an intimation to the police and while dead body was being taken to Mortuary, some members of the family of the deceased objected and stopped them from doing so and at that point of time, the petitioner-Gurmeet Singh used objectionable words and instigated the crowd and stated that the Doctors on the pretext of post-mortem sell the body parts of the deceased and treated them worse than animals.

Notice of the petition was issued to the respondent-State.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and he had been requesting the hospital authorities for examining Gagandeep Kaur and since the doctors did not attend to the patient, he had submitted a complaint for delay in examination of Gagandeep Kaur and it was on account of the said complaint that he has been falsely implicated in the present case. It has been further submitted that the petitioner, in any case, had neither accompanied the electrocuted patient nor was related to the electrocuted patient.

On the other hand, learned State counsel has stated that in view of the nature of allegations and that the petitioner had misbehaved with the Doctors, no case for grant of bail to the petitioner is made out.

Having regard to the facts and circumstances of the case and the nature of allegations and also that the petitioner is not shown to be related with the deceased regarding which the controversy had arisen, in my opinion, it is not a case where custodial interrogation is warranted.

Accordingly the petition is accepted and the interim directions issued vide dated 30.07.2018 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

29.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**