

**CRM-M-32312-2018 and
CRM-M-38887-2018**

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

Date of Decision: 28.09.2018

1. CRM-M-32312-2018

Dr. Rajneesh Kumar Gupta

... Petitioner

Versus

State of Punjab and another

... Respondents

AND

2. CRM-M-38887-2018

Dr. Parminder Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vivek Goel, Advocate,
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

None for respondent No.2.

INDERJIT SINGH, J. (Oral)

As per Registry, service is complete. However, none has
appeared on behalf of respondent No.2.

This order shall dispose of CRM-M-32312-2018, filed by

petitioner-Dr. Rajneesh Kumar Gupta and CRM-M-38887-2018, filed by

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petitioner-Dr. Parminder Singh, under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in complaint case No.RT-287 dated 13.06.2016 and COMA No.76-2016, titled as 'Dr. Avtar Singh Vs. Dr. Parminder Singh and others', under Sections 3 (p) (q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Sections 167, 420, 468, 469, 470, 471, 120-B and 109 of the Indian Penal Code, pending in the Court of Judicial Magistrate Ist Class, Faridkot.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of respondent No.1-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

Learned counsel for the petitioners contends that the petitioners have been summoned in a complaint case filed by respondent No.2. He further contends that the complainant is subordinate to petitioner-Rajneesh Kumar Gupta and a departmental inquiry was conducted against the complainant. For that reason, this false complaint has been filed.

In pursuance of the interim orders dated 01.08.2018 passed in CRM-M-32312-2018 and dated 11.09.2018 passed in CRM-M-38887-2018 by this Court, the petitioners have already appeared before the court below and have been released on interim bail. It is a complaint case. The petitioners are not required for any investigation or interrogation purposes. They are simply to appear before the Court to face the trial. Therefore, no

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useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in both these petitions and the same are allowed. The orders dated 01.08.2018 passed in CRM-M-32312-2018 and dated 11.09.2018 passed in CRM-M-38887-2018, granting interim bail to the petitioners, are made absolute.

28.09.2018
parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No