

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

Through Video Conferencing

206

CRM-M-23513-2020

Date of Decision : September 29, 2020

NEERAJ MANGLA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Pallav Mongia, Advocate and
Mr. Abhinav Sood, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

NIRMALJIT KAUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for issuance of a direction to the respondents not to take any coercive steps against the petitioner pursuant to the summons dated 8.8.2020 (Annexure P-5) issued by the Inquiry Officer, Police Station Panipat which have arisen from a complaint filed by his wife before the CAW Cell, Panipat and for permitting the petitioner to join the inquiry via Video Conferencing or to join the inquiry once the pre-pandemic status quo is restored in the light of the fact that the petitioner is a doctor in Chennai fighting the 'N-Covid 19 War' and is being coerced into abandoning his duty as a healthcare worker.

It is contended that the petitioner herein is a Senior Consultant in the Department of Emergency Medicine at MGM Health Care Hospital, Chennai and a Senior Resident Doctor at the Department of Anaesthesia at Madha Mother's Care Medical College and Research Institute. Due to the prevailing situation, the petitioner is required to be present round the clock in the ICU and, therefore, he may be granted liberty to join the inquiry through Video Conferencing.

On 20.8.2020, while issuing notice of motion, permission was granted to the petitioner to join the inquiry by Video Conferencing at the convenience of the Investigating Officer.

Today, it is pointed out that the petitioner has joined the Video Conferencing on four occasions but the matter could not be settled and no solution has been found. It is further stated that the petitioner is always ready and willing to welcome his wife back home in Chennai but it is she, who is keeping away.

Be that as it may, the fact is that as on date there is no FIR. Only inquiry is going on, on the complaint filed by the wife of the petitioner. The petitioner has joined the said inquiry through Video Conferencing.

In view of the above, this Court does not find any reason to continue with the present petition and the same is, accordingly, disposed of with liberty to the Investigating Agency to proceed as per law with equal liberty to the petitioner to continue to join the inquiry through Video Conferencing in case, there is no FIR against the petitioner. In the

eventuality of any FIR being registered against the petitioner, the petitioner will be at liberty to take recourse of law as that may be fresh cause of action.

September 29, 2020
ajay-1

(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No