

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-28133 of 2020 (O&M)
Date of decision : December 17, 2020

Sanjeev

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Aditya Sanghi, Advocate, for the petitioner
Mr. Gaurav Jindal, Addl. AG Haryana

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Sanjeev who is an accused in case FIR No. 341 dated 13.9.2018 under Sections 328, 365, 376-D, 118, 120-B, 202, 216 IPC, Police Station Kanina, District Mahendergarh has come up in this third regular bail application under Section 439 Cr.P.C.

The petitioner admittedly happens to be medical

practioner and had administered medicine to the victim of gang rape after the occurrence when she became unconscious.

Learned counsel for the petitioner inter-alia contends that there is no specific role attributed to the petitioner in the commission of the offence and had only discharged his duties as a doctor to save the life of the victim. It is submitted that the petitioner is behind the bars for two years and three months.

Learned State counsel does not displaces the facts but has strongly opposed the bail on the grounds that the trial is at the fag end.

Be so as it may. As is fairly conceded at the bar even by the learned State counsel, the petitioner had only discharged his duties as doctor to save the precious life of the victim. Keeping in view his period of incarceration and that similarly placed co-accused Deen Dayal has been allowed regular bail by this Court vide orders dated 18.8.2020 and therefore, in view of principle of parity impels this Court to allow the same relief to the present petitioner. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

December 17, 2018

(Fateh Deep Singh)
Judge

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<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>