

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

CRM-M-33789 of 2020

Date of Decision: 30.10.2020

Sajan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. ADS Sukhija, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Sukhcharan Singh Gill, Advocate for the complainant.

HARINDER SINGH SIDHU, J

Prayer is for grant of anticipatory bail in case FIR No.152, dated 21.09.2020 under Sections 451, 323, 427, 506, 148, 149 and Sections 3 & 4 of the Punjab Protection of Medicare Service Persons and Medicare Service Institution (Prevention of Violence and Damage to Property) Bill 2008 and Section 51 of Disaster Management Act, 2005, and Under Section 3(1A)(a)(b)(c) of the Epidemic Diseases (Amendment) Ordinance, 2020 registered at Police Station Khanna City-2, District Ludhiana.

As per allegations in the FIR, complainant-Dr. Major Singh Jawandha son of Surjit Singh Jawandha is running Jawandha Nursing Home at Peer Khana Road, Khanna while his wife Dr. Beant Kaur is Gyne Doctor in his Hospital. On 20.09.2020, when he was taking dinner with his wife at his residence located above the nursing home at about 9.00 PM, he was called by

his Staff Nurse, who told that there was an emergency case of a person inflicted with serious injury and blood was oozing out from the right hand. The complainant came down to the Nursing Home and saw a young man wearing yellow color T-shirt. Said person was accompanied by four other young persons. The injured disclosed his name as Mandeep Kumar s/o Surinder Kumar and said that he had a dispute with his wife. The complainant told him that it was a police case and he should go to Civil Hospital for treatment. Upon this, Mandeep Kumar became furious and started shouting at him as well as his staff. The complainant and others tried to dissuade him from doing so, but he along with other unknown persons started damaging articles lying in the dressing room. They tore the examination screen and broke the stand. One heavy weight young man picked up a Danda from the hospital and attacked the complainant on his left leg below knee. The other persons beat the staff of the complainant. On noise being raised all the persons ran away from the Hospital. The injured persons including Harmesh Kumar, Gurmeet Kaur and Sukhwinder Kaur were taken to Civil Hospital Khanna for treatment on the night of 20.09.2020 and returned to the nursing home after treatment. Thereafter, the complainant reported the matter to the police.

As per the MLRs two blunt injuries were suffered by the complainant, three blunt injuries were suffered by Harmesh Kumar, two blunt injuries by Gurpreet Kaur and on blunt injury by Sukhwinder Kaur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He has been falsely implicated in the case. There is a delay of 19 hours in lodging the FIR. The incident is alleged to have occurred on 20.09.2020 at about 9.00 PM whereas the FIR was lodged on 21.09.2020 at about 4.20 PM.

Ld. Counsel for the State and the Complainant have stated that the

incident has been captured in the CCTV cameras. The petitioner is seen armed with a danda attacking the complainant.

In my view on the allegations in the FIR no ground for grant of anticipatory bail to the petitioner is made out. The petitioner along with the others attacked a doctor and his staff including female staff in his nursing home.

Dismissed.

October 30, 2020
manoj

(Harinder Singh Sidhu)
Judge

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