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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.6477 of 2021 (O&M)
Decided on: 07.07.2021

Pradeep Kumar Shrivastav

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.168 dated 25.06.2020 registered under Sections 304, 34 IPC at Police Station City Nuh, District Mewat.

The operative part of the order dated 22.02.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Mr. Keshav Pratap Singh, learned counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the said FIR. He was not party to the proceedings of having performed a surgery upon Hoshiar Singh, who died subsequently.

Counsel for the petitioner would rely upon the enquiry report dated 24.06.2020 wherein it has been categorically stated that the petitioner was not present at the time of surgery nor any intervention had been done by him. He further relies upon the enquiry report itself

CASE HEARD THROUGH VIDEO CONFERENCING

wherein the relative of the deceased had not indicted the petitioner. It is also argued that there is an opinion of the Medical Board wherein gross medical negligence case is held to be made out against Jeewan Hospital, Nuh, three persons namely Mr. Ashok Kumar, Mr. Yogender Kumar and one female associate....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 22.02.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Rajesh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 22.02.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

07.07.2021
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No