

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

CRM M-17217 of 2021 (O&M)

Date of Decision: July 20, 2021

Tarun Arora	Petitioner
Versus	
State of Punjab	 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. B.S. Baath, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Umesh Aggarwal, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing due to outbreak of pandemic COVID-19.

Petitioner Tarun Arora is accused in case bearing
FIR No. 0011 dated 13.01.2021 under Section 420 IPC and
under Section 15 of the Indian Medical Council Act, 1956
registered at Police Station Sadar Amritsar, District Amritsar

and has come up in this first anticipatory bail application under Section 438 Cr.P.C.

The brief allegations are that the petitioner as well as the complainant were partners in firm M/s Healthy Hub Clinic and, subsequently, had fallen apart over the division of their earnings leading to registration of the present case.

The allegations hover around that the petitioner though he was not a qualified doctor but had been representing himself to be so and had been prescribing drugs and treating the patients under that.

Mr. B.S. Baath, learned counsel for the petitioner contends that the petitioner as on date had passed D. Pharma and is undergoing course in B. Pharmacy and there is no concrete evidence to establish that any allopathy drug was ever recovered from his possession or that he was holding a fake degree and rather the allegations of the prosecution in the light of the sole affidavit of Shri Sarbjit Singh, PPS, Assistant Commissioner of Police, North, Amritsar City is that his degree

was not a recognized one submitting that nothing is to be recovered from the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab assisted by Mr. Umesh Aggarwal, Advocate for the complainant has strongly opposed the bail on the grounds that custodial interrogation of the petitioner is essential and that the letter heads placed on the record shows that he claims himself to be a doctor. It is argued that by such fraudulent means, dishonest intention and cheating he is robbing the people under that garb and sought the dismissal of the same.

Going through the submissions, apparently the present case is an outcome of two partners of a firm falling apart and thus keeps the Court on guard to discern minutely the allegations. The reply of the State reflects that only the allegation against the petitioner is that his degree was not recognized at much variance from what is claimed by the complainant counsel that it is a fake degree. To the specific query of the Court Mr. B. Beniwal could not illustrate by any

means how the degree is fake. Since nothing incriminating has been recovered from the petitioner till date, the petitioner's joining the investigation would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on their doing so, he shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, they will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

July 20, 2021
amit rana

(FATEH DEEP SINGH)
JUDGE

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