

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205-5

CRM-M-39448 of 2020
Date of decision:25.10.2021

Dr. Sachin Gupta

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.Randeep Singh Rai, Senior Advocate with
Mr. Gautam Dutt, Advocate and
Mr. Sandeep Wadhawan, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking grant of anticipatory bail to the petitioner in case FIR No.184 dated 02.10.2020 registered under Sections 420, 465, 467, 468, 471 and 120-B of Indian Penal Code, 1860 at Police Station Cantonment, District Police Commissionerate Amritsar.

While granting interim protection to the petitioner, this Court passed the following order on 27.11.2020:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

Learned senior counsel has argued that the petitioner is

a visiting doctor with Gupta Multispeciality Hospital which is being run by his father, who is accused No.4. Gupta Multispeciality Hospital has received a notice from the Director, Regional Centre ECHS, Jalandhar Cantt alleging violation of the terms and conditions of the Memorandum of Agreement (MOA) dated 10.07.2020 (Annexure P-2). Counsel has placed reliance upon the order dated 19.11.2020 (Annexure P-6) passed by this Court in CRM-M-38241 of 2020 filed by co-accused, Parveen Kumar, who has been arrayed as accused No.3 in the FIR (Annexure P-1).

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. Copy of the petition has already been served upon him.

To be heard alongwith CRM-M-38241 of 2020 on 17.12.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Interim protection granted to co-accused Parveen Kumar in CRM-M-38241 of 2020 has been made absolute by an order passed by this Court on even date.

Upon instructions from SI Narinder Kumar, State counsel submits that the petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 27.11.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

October 25, 2021
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No