

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

CRM-M No. 38988 of 2019
Date of Decision: 31.08.2021

Ashok Kumar

-Petitioner

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. K.S. Brar, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

Mr. Amaninder Preet, Advocate,
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.143 dated 20.08.2019 registered under Sections 353, 186 IPC and under Section 4 of the Punjab Protection of Medicare Service Persons and Medicare Service Institution (Prevention of Violence and Damage to Property) Act at Police Station City Kotkapura, District Faridkot.

Interim order was passed vide order dated 23.10.2019.

It appears that there is a dispute with regard to tendering of apology by the petitioner after realizing his mistake. Both the parties were called by the Investigating Officer and the petitioner furnished an affidavit tendering his apology to the members of the Medical Team. However, learned counsel for the complainant stated that the petitioner did not realize his mistake, rather threatened the members of the Medical Team. Thereafter, the members of the Medical Team were not ready to accept the apology.

Today, learned counsel for the petitioner submits that the petitioner has joined the investigation and challan has been submitted to the Court.

In respect of occurrence dated 10.08.2019, the FIR came to be registered only on 20.08.2019. Offence under Section 353 IPC is an aggravated offence of Section 186 IPC which is non-cognizable in nature.

Learned State counsel on instructions from ASI Binder Singh admits the factum of joining of investigation by the petitioner and filing of challan.

Now the case is fixed for framing of charges.

In view of above, order dated 23.10.2019 is hereby made absolute.

However, the petitioner shall keep on appearing
before the trial Court regularly.

31.08.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No