

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(215)

CRM-M-729-2022

Date of Decision : February 02, 2022

Sunil Kumar

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh Lamba, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.383 dated 25.09.2021 registered under Sections 18-A and 18-C of the Drugs and Cosmetics Act, 1940, Section 15 (2) (B) of the Indian Medical Council Act, Sections 120-B, 336 and 420 of the IPC, 1860 and Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971 at Police Station Sector-5, Gurgaon, District Gurugram.

Learned counsel for the petitioner submits that in the present case, the investigation is already over and the challan has also been presented and as the trial is likely to take some time before it concludes keeping in view the restricted working of the Courts due to the pandemic of

Covid-19, the petitioner may kindly be extended the concession of regular bail as the petitioner undertakes that in case, the concession of regular bail is extended to him, he will maintain good conduct and will not influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State concedes the fact that the challan has already been presented after completion of the investigation.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the investigation is over and the challan has already been presented and the witnesses, who are to be examined, are official witnesses, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial, which is likely to take some time before it concludes especially when the petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner, the petitioner has made out a case for the grant of regular bail.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses

and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

February 02, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned? : Yes/No

Whether reportable? : Yes/No