

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-36507-2021(O&M)

Date of decision : 29.03.2022

Dr.Ranju Nanda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

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

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Mr. Ashok K.Arora, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

CRM-11686-2022

Allowed as prayed for.

Annexures P-32 to P-37 are taken on record, subject to all just
exceptions.

CRM-M-36507-2021

This is a first petition under Section 438 Cr.P.C. for grant of
anticipatory bail to the petitioner in FIR no.198 dated 20.08.2021 registered
under Sections 420, 465, 467, 468, 471, 120-B IPC at Police Station Sadar
Amritsar, District Police Commissionerate, Amritsar.

On 06.09.2021, a coordinate Bench of this Court was pleased
to pass the following order:-

“Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.198

dated 20.08.2021 under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Sadar Amritsar, District Police Commissionerate Amritsar.

Learned counsel for the petitioner contends that it is alleged that the hospital owned by the petitioner had impersonated Ex-servicemen for admission and had raised bills for their medical treatment. He also contends that the co-accused have been granted ad interim bail by the coordinate Bench of this court in CRM-M-43131 of 2020, CRM-M-39448 of 2020, CRM-M- 38241-2020, CRM-M-38716-2020, CRM-M-38514-2020 and CRM-M-40363-2020. The petitioner is a lady and does not have any criminal antecedents.

Issue notice to the respondents.

At the asking of the court, Mr. Dhruv Dayal, Senior DAG, Punjab accepts notice on behalf of the respondent. He contends that the allegations against the petitioner are serious in nature and prays for time to file an affidavit with regard to the prima facie case and material against the petitioner.

Learned counsel for the complainant states that enquiry was conducted by the Indian Army and only thereafter, FIR was lodged. He also prays for time to file an affidavit in reply.

List on 06.10.2021.

The arrest of the petitioner shall remain stayed till the next date of hearing.

**(ANUPINDER SINGH GREWAL)
JUDGE”**

06.09.2021

Learned counsel for the petitioner has submitted that in pursuance of the said order and also subsequent orders passed by coordinate benches this Court, the petitioner has been repeatedly joining the investigation and has been complying with all the directions given by the Investigating Officer and in regard to the same, the petitioner has even filed short affidavit dated 23.03.2022 as per which it has been detailed that vide letter dated 08.10.2021, the petitioner was asked to provide various documents which were duly provided to the investigating officer by way of letter dated 09.10.2021 and the receipt of the documents signed by the

investigating officer on 11.10.2021 in the presence of the Advocate of the petitioner, is annexed as Annexure P-33, whereas the letter dated 08.10.2021 is Annexure P-32. It is further stated in the affidavit that during the hearing on 07.03.2022, a hand written note was submitted before this Court which specified six more documents required and the said note has been annexed as Annexure P-34. Further another notice dated 23.11.2021, which is annexed as Annexure P-35, seeking similar information also was issued to the petitioner. In response, the petitioner has furnished documents as per receipt dated 20.12.2021 (Annexure P-36) as well as vide receipt dated 22.12.2021 (Annexure P-37). It is submitted that the petitioner has provided all the documents which are in her possession and nothing has been hidden from the investigating officer and has further submitted that in case the investigating officer feels any additional document is still to be sought, the deponent is willing to provide the investigating officer full access to the hospital facilities, records, computers, hard drives, pen drives etc. and has also stated in her affidavit that the investigating officer is free to take statement of any of the hospital staff.

Learned State counsel has submitted that although, the petitioner has joined investigation but apparently some diagnostic reports are still to be recovered from the petitioner.

Learned counsel for the petitioner, in rebuttal, has submitted that as has been stated in the affidavit, the petitioner has supplied all the documents in her possession but however, the petitioner is even ready to hand over the key to the investigating officer for them to search the hospital. Learned counsel for the petitioner has submitted that there is an inquiry pending with the army authorities and the army authorities have ceased

several documents and the investigating officer can also get in touch with the army authorities so as to get the said documents from the said authority.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the orders passed by coordinate benches this Court, including the order dated 06.09.2021, as well as the averments made in the affidavit, the present petition is allowed and the interim order dated 06.09.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

March 29, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No