

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

919 ANTICIPATORY BAIL APPLICATION NO.1003 OF 2023

RESHMA RAMESH JAGTAP
VERSUS
THE SUPERINTENDENT OF POLICE AND ANOTHER

...
Advocate for Applicant : Mr. P. P. More
APP for Respondent – State : Mr. S.N. Morampalle
...

CORAM : R. M. JOSHI, J.
DATE : JULY 19, 2023

PER COURT :

1. Heard.
2. Applicant is apprehending arrest in connection with Crime No. 270 of 2023 registered with Gandhi Chowk Police Station, Dist. Latur for the offences punishable under Section 308 r/w. 34 of the Indian Penal Code.
3. Applicant is a lady and employed with Government Hospital and Medical College at Latur. It is alleged against her that on 16.06.2023 though she was present in the ward, she instead of administering injection to the patient called upon the security personnel to do so. As he could not administer injection properly,

blood started oozing from hand of the patient.

4. Learned counsel for applicant states that the act on her part at the most could be called as misconduct, but not an offence. It is submitted that applicant has learnt a sufficient lesson and there is no likelihood of occurrence of such incident in future.

5. Learned APP opposed the application by contending that there is a statement of witnesses indicating that applicant failed to discharge her duties and instead of herself called upon security guard to administer injection to the patient. Thus, according to him, this is a matter of serious concern.

6. At this stage, the applicant cannot be sent behind the bars by way of pretrial sentence. Custodial interrogation of applicant is not necessary. In view of this, following order is passed.

ORDER

- (i) Application is allowed in terms of interim relief dated 26.06.2023.

[R. M. JOSHI]
JUDGE

GGP