



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

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CWP-16256-2026

Date of Decision: 22.05.2026

DR SHILVA AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Karanjot Singh Mainee, Advocate (through V.C.) with
Ms. Arundhati, Advocate and
Mr. Viren Talwar, Advocate
For petitioners

Ms. Svaneel Jaswal, Additional Advocate General, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Article 226/227 of the Constitution of India are seeking setting aside of inquiry report dated 19.02.2026 (Annexure P-6) of respondent No.2-District Medical Board, Panchkula. They are further seeking direction to respondents to constitute a medical board comprising experts from PGIMS Rohtak or PGIMS Chandigarh or Kalpana Chawla Government Medical College, Karnal.

2. The petitioner No.1 is a doctor by profession and working with respondent No.2-Cloudnine Hospital. The respondent No.4-Kiran Singhmar was admitted in hospital for delivery which was successfully performed by



petitioner No.1-Dr. Shilva on 16.11.2025. The petitioner on 17.11.2025 discovered dark black area on the left ankle of respondent No.4. The petitioner in good faith treated the black area without any charges and discharged respondent No.4 on 20.11.2025. Respondent No.4 filed complaint dated 19.11.2025 pursuant to which respondent No.2-District Medical Board, Panchkula issued notices dated 21.11.2025 and 24.11.2025. The respondent No.2 on 26.11.2025 conducted inquiry. FIR No.10/2026 dated 16.02.2026 was registered against the petitioners. The respondents vide report dated 19.02.2026 has formed an opinion that the burn inflicted on respondent No.4 was not a deliberate act but could have been prevented.

3. Learned counsel for the petitioner submits that impugned report is non-conclusive and has been prepared in violation of judicial principle that no *quasi judicial* order can be passed without recording reasons. It should be a speaking and reasoned order. The respondent has registered FIR No.10/2026 dated 16.02.2026 on the basis of said report and petitioner has filed *CRM-11500-2026* before this Court seeking quashing of aforesaid FIR.

4. Heard the arguments and perused the record.

5. From the perusal of record, it is evident that respondent as per applicable provisions constituted a committee to inquire the matter. A committee comprising group of doctors inquired the matter and submitted its report which was supplied to the petitioner along with letter dated 19.02.2026. The said report cannot be called as *quasi judicial* order. The principles applicable to orders to be passed by *quasi judicial* authorities are inapplicable to inquiry report. The petitioner was associated in the inquiry



and from the perusal of conclusion, it is evident that inquiry does not hold petitioner No.1 guilty whereas there is observation that there was ignorance or negligence regarding proper handling of electrocautery burns by the staff of the hospital. The petitioner has already filed petition before this Court seeking quashing of FIR.

6. In these circumstances, this Court does not find it appropriate to invoke its writ jurisdiction and ask respondents to re-constitute a medical board.

7. Dismissed.

8. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

22.05.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No