

Ved Parkash v. State of Punjab

BA/3113/2018

CNR No.PBJL03020352018

FIR no 133 dated 04.08.2018

U/s 420, 465, 468, 471 and 120-B IPC

P.S. Division No. 2 Jalandhar

Present: Sh. Pankaj Sharma, Adv. counsel for applicant
Sh.Harnoor Singh, APP for the State.

1. Heard on bail application filed by Sh. Pankaj Sharma Advocate on behalf of applicant/accused Ved Parkash son of Mange Ram resident of village Guladi Distt Sangrur at present Gulab Devi Hospital, Staff, Quarter, Jalandhar, in above mentioned FIR.
2. In the application it has been stated that accused has been falsely implicated and no ingredients of the alleged offences are fulfilled. It has been stated that applicant/accused is Lab Technician and he was neither involved in any activities alleged by prosecution nor he was ever owner of any blood bank but was doing job in the said hospital. It is submitted that he is in custody since 04/08/2018 and his further custody will not serve any purpose. On these bases it has been prayed that the application be allowed and accused be released on bail.
3. On the other hand, Learned APP for the State has argued that applicant/accused along with other accused has been acting negligently and gross violations of rules and regulations have been found in the operation of blood bank which could cause threat to human life. He further argued that the offences committed by the

accused/applicant are serious in nature and accused/applicant does not deserve any leniency. Hence he prayed for dismissal of the bail application.

4. Brief facts of the case are that the FIR in the present case was registered on the basis of information received by SHO PS Division No,2, Jalandhar on 03/08/2018 from Sh. Dinesh Kumar, Senior Assistant Drugs to the effect that many NGOs were present at Blood Bank Gulab Devi Hospital Jalandhar who were having grievances against the said Blood Bank. On receipt of information, ASI Balwinder Singh, as per the directions of SHO, along with other police officials, reached at the spot. Gulab Devi Hospital Blood Bank was sealed by Drugs Department and team of Drugs Department. During investigation, various discrepancies were found. The blood bags stocked in the tested blood refrigerator was found having untested blood bags specifying the same bag number and also it was found that duplicate unique numbers were being issued to the blood bags which could result serious threats to human beings.

5. Heard. Police record perused. From the record it comes to the fore that present FIR has been registered against Rakt Vahini India Blood Bank, Jalandhar situated at Gulab Devi Road, Jalandhar. The said association is running blood banks in the state of Haryana and Punjab. On 04/08/2018 a team consisting of Sh. Amarjit Singh, Drugs Control Officer, Jalandhar-III & IV, Mrs. Anupama Kalia, Drugs Control Officer, Jalandhar-II, Sh. Navdeep Singh, Drugs

Control Officer, Kapurthala, Sh. Manmohan Singh, SHO P.S Division No.2 Jalandhar and Sh. Dalbir Singh Buttar, A.C.P. (Central) Jalandhar had gathered to inspect the above mentioned premises. In addition to gross violations of Drugs and Cosmetic Act 1940, the fact which cannot be overlooked is that the applicant/accused and others, were providing blood to the required persons and at the time of inspection it was found that tested blood and untested blood were given same registration numbers. The allegation that Blood Bank has been issuing duplicate unique number to the stocked bags is very serious. Investigation is at initial stage. Allegations against the applicant are quite serious. Arrest of co-accused is yet to be made. In these circumstances, the applicant/accused is not entitled to concession of bail and the present application for bail is accordingly dismissed. Same be attached with the remand papers.

Pronounced:
16/08/2018

Rajinder Kumar*

(Mayank Marwaha), PCS
Judicial Magistrate Ist Class,
Jalandhar/UID NO PB0531