

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 6253/2020

Dr. Ashok Kumar Gupta S/o Shri Charan Lal Gupta

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. M.K. Kaushik

For Respondent(s) : Mr. Ramesh Choudhary, PP

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Order

17/12/2020

Learned counsel for the petitioner submits that the petitioner does not have any Lab in his hospital and had sent the blood sample to the Blood Bank where it was tested wrongly and a wrong blood group was issued and, therefore, the cognizance taken negligence at the part of the hospital or at the part of the petitioner is not made out.

Prima facie this Court finds that as per the statement of Prahlad, who was the Lab Technician at the Blood Bank that he has tested blood sample at his own level.

Issue notice of the petition as well as stay application returnable within six weeks.

In the meanwhile, further proceedings in case FIR No.485/2015 Police Station, Kotwali Bharatpur shall remain stayed.

(SANJEEV PRAKASH SHARMA),J