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Court directs Delhi police to lodge FIR against private hospitals for cheating

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NEW DELHI: A trial court has directed Delhi Police to register an FIR against two private hospitals on allegations that they posted false information on their websites claiming certain treatment leading to the death of a patient.

Additional Chief Metropolitan Magistrate Vijay Kumar Jha said prima facie commission of cognisable offences appear to have been made out including criminal conspiracy, cheating and dishonestly delivering a property, using a forged document and forgery of valuable security.

The court's order came on a criminal complaint filed by P K Chauhan, son of the deceased, against two east-Delhi hospitals.

"After going through the entire material which has been placed by the complainant, the court is of the opinion that prima facie commission of cognisable offence appears to have been made out and the nature of the case is such that it would not be feasible for the complainant to collect all the evidences and also from the nature of the case, the court is of the opinion that investigation from a specialised agency is required to unearth the truth," said the recent order.

However, it made it clear that the direction for registration of FIR was given with the caveat that if the allegations were found to be false at any stage, the complainant should be liable for its legal consequences.

The court also issued notice to the Station House Officer (SHO) of Anand Vihar police station to file a status report on August 3.

According to the complaint filed through advocate Mohit Bhardwaj, in 2011 Chauhan's father was suffering from lung infection and he came to know about the two hospitals via internet.

Impressed with the details as provided by them, he got his father admitted in one of the two hospitals on August 18, 2011. He alleged that his father did not receive proper medical treatment and died after six days.

The hospital management then asked him to give a cheque of Rs 64,000 for the treatment by withholding the body of his father, the complainant claimed.

He further claimed that a case was filed against him and he had received a legal notice in which it was mentioned that the hospital was being run by a healthcare care firm which had sent the notice to him.

He alleged that Chauhan had come to know through RTI that no hospital in Delhi was registered under the name where his father was admitted and there was no memorandum of understanding between the other hospital and the healthcare firm for operating it.

He has alleged that he was cheated on a false representation of the website and had he known the exact truth, he would not have gotten his father admitted there.

He further alleged that the hospital created false documents and used it as genuine.

The SHO of the concerned police station had earlier told the court that the accused have stated during enquiry that the certain words in the name of the hospital where Chauhan's father was admitted were put in brackets to show the nature of the other hospital which was registered with the concerned authority.

The SHO said in a status report that the hospital stated that the words were mentioned in its stationary and were not part and parcel of the nursing home.