

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

Criminal Application No. 557 Of 2015.

(Appln.to allow production of documents)

In

Criminal Application No. 4496 Of 2013.

SMITA SANDIP PATIL

VERSUS

THE APPROPRIATE AUTHORITY, SUB DISTRICT HOSPITAL,
JALGAON AND ANOTHER.

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Appearance =>

Mr. B.R. Waramaa, Advocate for the Applicant.

Mr. S.A. Ambad, Additional Public Prosecutor for the State of
Maharashtra.

CORAM : V.M. DESHPANDE, J.

DATE : 3rd FEBRUARY, 2015.

Per Court :-

Criminal Application No. 557 Of 2015 is allowed. Documents
are taken on the record.

[2] Criminal Application No.4496/13 is filed to challenge the order
of issuance of process which is passed by the court below for the
commission of offences for contravention of proviso of Section 4(3) read
with Section/s 5 and 6 punishable under Section 23 of the Pre-Conception
and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act,
2003, for contravention of Section 29 punishable under Section 23 of the
P.C.P.N.D.T. Act for the contraventions of Rules 9(1), 9(4), 9(8) and Rule
10(1A) of P.C.P.N.D.T. Rules each of which punishable under Section 23 of

the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2003.

[3] The learned counsel for the applicant points out that the incident for which the present applicant is prosecuted, in fact, said lady has delivered female child on 1st Decmeber, 2011.

[4] In that view of the matter, **“Rule”**.

[5] Interim order granted in favour of the applicant to continue, during the pendency of present Application.

(V.M. DESHPANDE, J.)