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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1627 OF 2015**

Dr. Baldevsingh D. Rajput

...Petitioner

Versus

Dr. Vaishali Jadhav, Assistant MOH
(Licences) And Appropriate
Authority PCPNDT Pune Municipal
Corporation Pune & Anr.

.... Respondents

Mr. A.B. Tajne along with Mr. Y.G. Thorat for the Petitioner.
Mr. R.M. Pethe for Respondent No.1.
Mr. V.B.K. Deshmukh, APP for Respondent No.2-State.

CORAM:-M.L. TAHALIYANI, J.

DATED : 20th JULY, 2015.

P.C.:

Heard. Admit. By consent of the parties taken up forthwith
for final hearing.

2. The Petitioner is facing trial for the offences under Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (hereinafter referred to as the 'PC-PNDT Act') in

the Court of Judicial Magistrate, Pune. Particularly the allegations against the Petitioner are that he had not filled up Form 'F' properly before taking the patient for sonology. Other main allegation against the Petitioner is that though she claims to have resigned in the month of August, 2008 his resignation was not reported to competent authority in Form 'A' by the Diagnostic Centre.

3. I have gone through the complaint. There is no specific allegation against the Petitioner at all. As far as submission of change report is concerned, it is the duty of the Diagnostic Centre for which the Applicant cannot be held responsible. As regards not filling up Form 'F' properly is concerned, I do not find any allegation in the complaint. Learned counsel for the Municipal Corporation, Pune, has not been able to show as to on which date the Petitioner has performed sonology on a particular patient and the Form 'F' was not filled in properly. Vague and absurd allegations will not make out the case against the Petitioner.

4. It may be mentioned here that the complainant is under obligation to give detailed facts of the case so that the accused is able to

meet the charge levelled against him. In the present case there are no allegations against the Petitioner for which he is answerable. In view thereof, I pass the following order :

a) Proceedings pending against the Petitioner in the Court of Judicial Magistrate, First Class, Pune Cantonment Court vide Regular Criminal Case No.136 of 2012 for the offences punishable under section 23, r/w. sections 3(3), 4(3), 5(1), 23, 25 and 26, of PC-PNDT Act, 1994 and rules 9(1), 9(4), 9(6), 9(8), 10(1-A), 13, 18(v) and 18(ix) of PC-PNDT Act, 1996 r/w. section 34 of the Indian Penal Code are quashed. Bail bond, if any, stands cancelled.

b) Writ petition stands disposed of accordingly.

[JUDGE]