

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc. No.M-24470 of 2015 (O&M)
Date of Decision: July 31, 2015

Varun

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

with

Criminal Misc. No.M-24563 of 2011 (O&M)

Varun

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

- 1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
- 2. To be referred to the Reporters or not? Yes/No
- 3. Whether the judgment should be reported in the digest? No

Present: Mr. Jagdish Manchanda, Advocate
for the petitioner(s).

Mr. Gurdas Singh Salwara, DAG, Haryana.

ANITA CHAUDHRY, J.

1. These are two petitions filed under Section 439 Cr.P.C. One petition for regular bail and another petition seeking interim bail has been filed by the petitioner in FIR No.289 dated 5.7.2015, registered under Sections 2D, 3, 4, 5 of MTP Act and Section 420 and 120-B IPC, Police Station Indri, District Karnal.

2. The facts reveal that Deputy Civil Surgeon, Karnal along with his team of Doctors and the Drug Controller inspected M/s. S.S. Medipoint. During inspection, the owner of the firm, Varun was present. In the presence of two witnesses, the shop was checked and at the back side of the shop, 22 MTP kits were found. The kit is used for medical termination of pregnancy. Earlier the inspection team had raided Dr. Kashyap's Hospital where sex determination tests were being conducted. A decoy was arranged with the help of a social worker. The social worker informed the authorities that the test was being conducted and a raid was conducted and the amount was recovered. Two people managed to escape. It was there that information was received that the kits were being sold at the chemist shop. Thereafter, the raid was effected and the kits were recovered.

3. The counsel for the petitioner states that the petitioner has no concern and the allegations are that the kits were found in the backyard of the shop. It was also urged that the petitioner was not present at the spot and he was called to the shop. It was urged that the petitioner is in custody for

the last 25 days. It was also urged that a separate petition has been moved seeking interim bail as the wedding ceremonies starts from today and petitioner is to get married tomorrow.

4. The State counsel opposes the prayer for regular bail. It was urged that it is a serious matter and there is a racket and it is not a case of one or two kits but 22 MTP kits were recovered and the licence is in his name. He also states that some more people have to be arrested.

5. Investigations are going on and considering the seriousness of the allegations, I am not inclined to grant regular bail. However, since, the petitioner is to get married tomorrow and all arrangements have been done, interim bail is allowed to the petitioner on furnishing bonds to the satisfaction of the trial Court/Duty Magistrate till 7th August, 2015. The petitioner would surrender in the trial Court on 8th, August, 2015.

Both the petitions are disposed of.

July 31, 2015
sunil

(ANITA CHAUDHRY)
JUDGE