

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-30385 of 2015

Date of decision : 29.09.2015

Varun

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Jagdish Manchanda, Advocate
for the petitioner

Mr. Deepak K. Grewal, DAG Haryana

ANITA CHAUDHRY, J. (ORAL)

This is third petition filed by the petitioner seeking regular bail in FIR No. 289 dated 05.07.2015 registered at Police Station Indri, District Karnal under Sections 2D, 3, 4, 5 of MTP Act.

The Deputy Civil Surgeon, Karnal and his team inspected M/s. S.S. Medipoint. The petitioner was found present and in his presence the inspection was done. 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 and raid was conducted. Two people managed to escape. The inspecting team had received information that the kits were being sold at the chemist shop.

Learned counsel for the petitioner states that his regular bail application had been dismissed as at that stage the investigation

was going on but he was allowed interim bail as his wedding had been fixed in the month of August. He further states that petitioner is in custody since 05.07.2015 and challan has been presented.

Learned State counsel does not dispute that challan has been presented.

The allegations against the petitioner are that he had kept medical termination of pregnancy kits in his shop for sale.

Dr. Ashok Kashyap has also been allowed bail by Coordinate Bench of this Court on 24.08.2015

Without commenting on the merits of the case and considering the fact that challan has been presented and the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court.

September 29, 2015

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**(ANITA CHAUDHRY)
JUDGE**