

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.11206 of 2016

Date of Decision:-07.04.2016

Dr. Rashmi.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sumeet Sangwan, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
assisted by ASI Karambir.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner-Dr. Rashmi in case FIR No.61 dated 09.03.2016 for offences punishable under Section 4 of Medical Termination of Pregnancy Act, 1971 (in the impugned order Annexure P-1 Section 3 of MTP Act also mentioned), Sections 18 & 23 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (in the impugned order Annexure P-1, Section 4 & 5 of PNDT Act also mentioned) and later on added Section 201 of Indian Penal Code registered with Police Station Dadri City, District Bhiwani.

The allegations against the petitioner-accused are that she is

involved in determination of Sex of the fetus of pregnant ladies and thereafter on its termination. A decoy lady customer was sent and the MTP kit was recovered from the petitioner.

It is contended that the petitioner was arrested on 10.03.2016 and the investigations qua the petitioner are over.

Learned State Counsel assisted by ASI Karambir submits that although investigations qua the petitioner are over however, one co-accused Dr. Ram Mehar who conducted ultrasound is yet to be arrested.

Without commenting on the merits of the case, keeping in view the custody period and the fact that investigations qua the petitioner are over and that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner-Dr. Rashmi is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Bhiwani.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

April 07, 2016
Vinay