

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-15427 of 2016

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Date of decision:29.7.2016

Dr. Neelam

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.164 dated 4.4.2016 registered for the offences under Sections 3 and 4 of Medical Termination of Pregnancy Act, 1971 at Police Station Sadar Bahadurgarh, District Jhajjar.

Notice of motion has been issued in this case.

Mr. B.S. Virk, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record.

A perusal of the FIR shows that the allegation against the present petitioner is that some instruments were found which can be used

for termination of pregnancy.

Learned counsel for the petitioner argued that as the petitioner is a doctor, these instruments are also required for delivery of the child.

The petitioner has joined the investigation. Her custodial interrogation is not required. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 6.5.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

July 29, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No