

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

**CRM-M No. 17362 of 2016 (O&M)
Date of Decision: 27.05.2016**

Reena

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ravi Malik, Advocate for
Mr. Jarnail S. Saneta, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Narinder Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 439 of Cr.P.C., is for grant of regular bail on behalf of the petitioner-accused-Reena in case FIR No. 72, dated 16.01.2016, for offences punishable under Sections 420, 417, 336, 409, 315, 316, 120-B of the Indian Penal Code, Sections 3, 4, 5, 6 of Prenatal Diagnostic Techniques Act, 1994 and Sections 3, 4, 5 of MTP Act, registered at Police Station City Karnal, District Karnal.

On a secret information that on sex determination, abortion of a female foetus was being conducted in a premises, a raid was conducted. The petitioner-accused was the pregnant lady upon whom the abortion was conducted by co-accused-ANM Suman Solanki. The petitioner was accompanied by her sister Sapna and co-accused-Jeeja-Rajinder Kumar.

It is contended that the petitioner is in custody since 16.01.2016 and after completion of the investigation, challan stands presented and the evidence of eleven cited prosecution witnesses is yet to commence. It is further submitted that co-accused-Sapna and Rajinder Kumar have been enlarged on bail by this Court vide order dated 25.04.2016 and 23.05.2016, respectively.

Learned State Counsel, assisted by SI Narinder Singh, does not refute the aforesaid factual contentions, as also the grant of bail to aforesaid co-accused persons.

Without commenting on the merits of the case, keeping in view the facts noticed above; custody period of the petitioner, parity of treatment and the fact that the trial is not likely to be concluded in near future, no useful purpose would be served by keeping the petitioner-accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

May 27, 2016

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**(JASWANT SINGH)
JUDGE**