

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

CRM No. M-25128 of 2016

Date of decision:- August 05, 2016

Om Singh

.....Petitioner..

Vs.

State of Haryana

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Tapan Kumar Yadav, Advocate for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J. (Oral)

Instant petition has been preferred under Section 438 of the Code of Criminal Procedure by Om Singh, seeking pre-arrest bail, feeling apprehension of his arrest, in case FIR No.197, dated 11.05.2016, under Sections 23, 4, 5, 6 of the Preconception & Pre Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 and Section 420, 201 and 120-B IPC, Police Station Model Town Rewari, District Rewari.

2. While issuing notice of motion vide order dated 26.07.2016, following order was passed by this Court:-

“Petitioner is alleged to have received a sum of Rs.20000/- from Vishal and informed him on telephone to bring his wife for sex determination.

Counsel for the petitioner submits that the petitioner is neither a Doctor nor involved in the case and has been falsely implicated.

Notice to Advocate General, Haryana, for August 5, 2016.

On the asking of the Court, Mr.G.S. Salwara, DAG, Haryana, accepts notice. Copy given.

Meanwhile, an interim direction is issued that the petitioner will join investigation on July 30, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.

The Court be apprised of the material gathered against the petitioner during the course of investigation by next date of hearing.”

3. On instructions from ASI Subash, learned State counsel has submitted that the petitioner has already joined the investigation twice. Further, it has been submitted by her that the investigation is still in progress.

4. Since, the petitioner has already joined the investigation, this Court is of the considered view that his further custodial interrogation is not required.

5. Taking into consideration the aforesaid facts of the case, interim order dated 26.07.2016, is made absolute, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

August 05, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**