

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

**Criminal Misc.No.M-30361 of 2016(O&M)
Date of Decision : 22nd November, 2016**

Kanta Garg

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. H.S.Deol and Mr. Amit Dudeja, Advocates
for the petitioner.

Mr. Satish Saini, DAG, Haryana
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in case FIR No.342 dated 01.08.2016, registered at Police Station City Tohana, under Sections 4, 5, and 6 of Medical Termination of Pregnancy Act, 1971 read with Sections 120-B, 201/420 of IPC and Section 15(2), 15(3) of Indian Medical Council Act, 1956.

On 14.09.2016, this Court passed the following order:-

“List on 10.11.2016.

In the meantime, in the event of arrest, petitioner is ordered to be released on interim bail by the Arresting Officer, subjecting to his joining investigation and abide by all the terms and conditions enshrined under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that the petitioner

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has joined the investigation. He has further stated that since it is a case under the Medical Termination of Pregnancy Act, the custody of the petitioner should not be insisted upon.

Learned State counsel, on instructions from Inspector Krishan Kumar, has accepted that the petitioner has joined the investigation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Ordered accordingly.

Resultantly, the interim order dated 14.09.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(AJAY TEWARI)
JUDGE

22nd November, 2016

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No