

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

Date of decision: 18.10.2016

1.

CRM-M-30495-2016

Gyan Devi

...Petitioner

Versus

State of Haryana

...Respondent

2.

CRM-M-33665-2016

Jogender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. C.S. Rana, Advocate,
for the petitioner (in CRM-M-30495-2016).

Mr.Jainainder Saini, Advocate,
for the petitioner (in CRM-M-33665-2016)

Ms. Mahima Yashpal, AAG, Haryana.

Ritu Bahri, J.

By this common order CRM-M-30495-2016 and CRM-M-33665-2016 shall be disposed of together as both these petitions have arisen out of one FIR.

Both these petitions have been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner(s) in case F.I.R No.675 dated 26.07.2016, under Sections 3/4/5 of Medical Termination of Pregnancy Act, Sections 312/315/420/120-B/511 IPC and Sections 15 (2) & 15 (3) of

Indian Medical Council Act, 1956, registered at Police Station, City Hisar, District Hisar.

The allegations set out in the FIR are that on 26.07.2016, SI Sandeep Kumar, CIA-1 along with a team of Health Department raided the house of Gyan Devi. Constable Sunita Devi, decoy patient went there for the purpose of termination of pregnancy. Jogender Singh, mediator, was one of the co-accused along with Gyan Devi. After giving tablet to Sunita Devi (decoy patient), Gyan Devi was preparing to give injection when Sunita Devi gave signal. Thereafter, the raiding party arrested the accused-petitioners. Rs.3000/- were recovered from Jogender. 35 medical kits were also recovered from Gyan Devi.

Learned State counsel, on instructions, has informed that after investigation, challan has been presented on 29.09.2016 and the trial is fixed for framing of charges on 18.10.2016.

Heard.

Keeping in view the period of incarceration of the petitioner(s) and the fact that trial may still take some time for its conclusion, this court feels that there is no need to detain the petitioner(s) any longer. Accordingly, both these petitions i.e. CRM-M-30495-2016 and CRM-M-33665-2016 are allowed and petitioners, Gyan Devi and Jogender, are ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Hisar.

18.10.2016
ajp

(RITU BAHRI)
JUDGE

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