

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

CRM-M-36316-2016 (O&M)

Date of decision : 24.10.2016

Pawan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Behl, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Kuldeep Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in FIR No.498 dated 14.09.2016, registered under Sections 315 and 420 of the Indian Penal Code and Section 23 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (in order Sections 2-D, 3, 4, 5 and 6 of the Act have also been mentioned) at Police Station Gharaunda, Distt. Karnal.

Learned counsel for the petitioner contends that petitioner was not present at the spot. There is no allegation against the petitioner by the doctors who constituted the raiding team. Petitioner's name has been introduced in the present FIR on the basis of disclosure statements of co-accused Parvesh and Balkar, who have stated that the ultrasound test was

conducted by Dr. Pawan son of Raghbir i.e. the petitioner.

On the other hand, learned State counsel, on instructions, submits that the petitioner is a quack, operating in the area. As per the statement of the decoy customer, the amount was paid to Balkar, who is cousin of the petitioner, but the ultrasound test and the diagnosis were done by him.

Heard.

Keeping in view the serious allegations against the petitioner, no case for grant of bail is made out, at this stage.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

24.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No