

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

CRM No.M-6978 of 2016 (O&M)

Date of Decision: 12.05.2016

Uma Attri

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.88 dated 12.02.2016, under Sections 18 and 6(c) of Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, registered at Police Station City Jind, District Jind.

On 26.02.2016, while issuing notice of motion, the following order was passed by this Court:

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.88 dated 12.02.2016 under Sections 18 and 6 (c) of Preconception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, registered at Police Station City Jind, District Jind.

FIR has been registered on the accusation that the petitioner had taken a sum of Rs.100/- and given medicine to a decoy customer on the inducement of conceiving a male child.

It is, inter alia, contended that even as per allegation on the face of it, no offence would be made out under the provisions of Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 as the

accusation could not possibly fall within the scope of a Pre-natal Diagnostic Procedure or Pre-natal Diagnostic Test.

Notice of motion, returnable for 12.05.2016.

In the meanwhile, petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel would apprise the Court that the petitioner has since joined investigation. It is further submitted that even the medicine that was allegedly being prescribed by the petitioner has since been recovered.

Under such circumstances, prayer made in the present petition is accepted.

Petition is allowed. Order dated 26.02.2016 passed by this Court is made absolute.

Disposed of.

12.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**