

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-7334 of 2016 (O&M)
Date of Decision: 16.3.2016

Dharam Pal

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Raj Kaushik, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Present petition has been filed under Section 438 Cr.P.C seeking the benefit of anticipatory bail to the petitioner in case F.I.R. No.16 dated 12.2.2016 under sections 3A, 4(4), 5(2), 6(6), 23(3) and Rules 11(2) of P.C & P.N.D.T Act/Rules and section 120 I.P.C, registered at Police Station, City Samana, District Patiala.

Accusations against the present petitioner are in the nature of running a nursing home at Samana and in which sex determination tests were carried out.

Learned State counsel has informed the Court that accused Major Singh, who had taken the decoy patient as also another pregnant lady to the nursing home of the petitioner has already surrendered and as per their disclosure statement the sex determination test was got conducted by the petitioner at such nursing home.

Confronted with such stand taken on behalf of the State, counsel appearing for the petitioner states that he will not be pressing the instant petition seeking concession of pre-arrest bail and would surrender before the investigating agency/Illaq Magistrate within a period of one

week from today. He further prays that, if, thereafter an application seeking regular bail is filed, directions be issued for deciding such application forth with.

As per prayer made by counsel, present petition is dismissed as withdrawn.

It is, however, observed that in case the petitioner surrenders before the investigating agency/Illaq Magistrate concerned, within a period of one week from today and thereafter files an application seeking bail, such application would be decided strictly on merits and the court would make an endeavor to expedite disposal of the same.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.3.2016
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